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PART - IV

Republication of Act, Bills, Ordinances etc. and Rules thereunder

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 5th August, 2017/Shravana 14, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 4th August, 2017 and is hereby published for general information:—

THE NATIONAL INSTITUTES OF TECHNOLOGY, SCIENCE EDUCATION AND RESEARCH (AMENDMENT) ACT, 2017

No. 19 OF 2017

[4th August, 2017.]

An Act further to amend the National Institutes of Technology, Science Education and Research Act, 2007.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the National Institutes of Technology, Science Education and Research (Amendment) Act, 2017.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In the Second Schedule to the National Institutes of Technology, Science Education and Research Act, 2007, after serial number 5 and the entries relating thereto, the following serial numbers and entries shall be inserted, namely:—

Amendment of Second Schedule to Act 29 of 2007.

(1)	(2)	(3)
“6.	Indian Institute of Science Education and Research, Tirupati Society	Indian Institute of Science Education and Research, Tirupati.

(1)	(2)	(3)
7.	Indian Institute of Science Education and Research, Berhampur Society	Indian Institute of Science Education and Research, Berhampur.”.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 5th August, 2017/Shrawana 14, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 4th August, 2017 and is hereby published for general information:—

**THE FOOTWEAR DESIGN AND DEVELOPMENT INSTITUTE
ACT, 2017**

No. 20 OF 2017

[4th August, 2017.]

An Act to establish and declare the Footwear Design and Development Institute as an institution of national importance for the promotion and development of quality and excellence in education, research and training in all disciplines relating to footwear and leather products design and development and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Footwear Design and Development Institute Act, 2017.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act and any reference to the commencement in any such provision of this Act shall be construed as a reference to the commencement of that provision.

Declaration of Footwear Design and Development Institute as an institution of national importance.

Definitions.

2. Whereas the objects of the institution known as the Footwear Design and Development Institute, are such as to make it the institution of national importance, it is hereby declared that the Footwear Design and Development Institute is an institution of national importance.

3. In this Act, unless the context otherwise requires,—

- (a) “Chairperson” means the Chairperson of the Institute nominated under clause (a) of sub-section (3) of section 4;
- (b) “design” means a rational, logical and sequential innovation process for the purposes of transferring culture to viable products and services in footwear and leather products, including fashion and retail thereof and for providing a competitive edge to products and services;
- (c) “development” means the systematic use of scientific and technical knowledge to meet specific objective or requirements and includes an extension of the theoretical or practical aspects of concepts, design, discovery and invention including business thereof;
- (d) “Executive Director” means the Executive Director of the Institute campus appointed under section 18;
- (e) “Fund” means the Fund of the institute to be maintained under section 21;
- (f) “Governing Council” means the Governing Council of the Institute constituted under sub-section (3) of section 4;
- (g) “Institute” means the Footwear Design and Development Institute established under sub-section (1) of section 4;
- (h) “Institute campus” means an Institute campus specified in the Schedule;
- (i) “leather products” includes a product made of leather or any other material or combination thereof;
- (j) “Managing Director” means the Managing Director of the Institute appointed under section 16;
- (k) “Member” means a Member of the Governing Council and includes the Chairperson;
- (l) “notification” means a notification published in the Official Gazette;
- (m) “prescribed” means prescribed by rules made under this Act;
- (n) “Schedule” means the Schedule appended to this Act;
- (o) “Secretary” means the Secretary of the Institute appointed under section 17;
- (p) “Senate” means the Senate of the Institute referred to in section 13;
- (q) “Society” means the Footwear Design and Development Institute registered under the Societies Registration Act, 1860;
- (r) “Statutes” and “Ordinances” mean respectively the Statutes and the Ordinances of the Institute made under this Act.

CHAPTER II

THE INSTITUTE

4. (1) On and from the date of commencement of this Act, the Footwear Design and Development Institute shall be established as a body corporate by the name aforesaid.

Establishment
of Institute.

(2) The Institute shall have perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and shall, by that name, sue or be sued.

(3) The Institute shall consist of a Governing Council having the following Members, namely:—

(a) a Chairperson, who shall be an eminent academician, scientist, or industrialist from leather sector, to be nominated by the Central Government;

(b) the Managing Director, *ex officio*;

(c) the Joint Secretary in the Ministry or Department in the Government of India dealing with Footwear Design and Development Institute, *ex officio*;

(d) the Joint Secretary in the Ministry or Department in the Government of India dealing with the leather, retail or fashion sector, *ex officio*;

(e) the Director Finance of the Ministry or the Department in the Government of India dealing with Footwear Design and Development Institute, *ex officio*;

(f) a representative of Ministry or Department in the Government of India dealing with skill development and entrepreneurship, *ex officio*;

(g) four professionals or industrialists to represent the Council for Leather Exports, the Indian Leather Garments Association, the Indian Footwear Components Manufacturers Association, and the Confederation of Indian Industry National Committee on Leather, Footwear and Leather Products, to be nominated by the Central Government; and

(h) one person each from the National Institute of Fashion Technology, National Institute of Design, the Central Leather Research Institute, the Indian Institute of Technology and the Indian Institute of Management, to be nominated by the Central Government.

(4) The term of office of the Chairperson and other Members, other than *ex officio* Members thereof, shall be three years and they shall be entitled for such allowances as may be determined by the Central Government.

(5) The term of office of the Members nominated to fill a casual vacancy shall continue for the remainder of the term of the Member in whose place he has been nominated.

(6) The Governing Council shall meet at least two times in a year at such place and time and observe such rules of procedure in regard to the transaction of business at its meetings as may be determined by the Governing Council.

(7) Save as otherwise provided in this section, the term of office of an *ex officio* member shall continue as long as he holds the office by virtue of which he is a member.

5. On and from the date of commencement of this Act, subject to the other provisions of this Act, all properties which had vested in the Society, immediately before the commencement of this Act, shall on and from such commencement, vest in the Institute.

Vesting of
properties.

6. On and from the date of commencement of this Act,—

(a) any reference to the Society in any contract or other instrument shall be deemed as a reference to the Institute;

Effect of
incorporation
of Institute.

(b) all the rights and liabilities of the Society shall be transferred to, and be the rights and liabilities of, the Institute;

(c) every person employed by the Society, immediately before the appointed day, shall hold office or service in the Institute by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held the same, if this Act had not been passed, and shall continue to be so, unless and until his employment is terminated or until such tenure, remuneration, terms and conditions are duly altered by the Statutes:

Provided that if the alteration so made is not acceptable to such employee, his employment may be terminated by the Institute in accordance with the terms of the contract with the employee or, if no provision is made therein in this behalf, on payment to him by the Institute of compensation equivalent to three months' remuneration in the case of permanent employee and one month's remuneration in the case of other employee;

(d) every person pursuing, before the date of commencement of this Act, any academic or research course in existing Institute campus, shall be deemed to have migrated and registered with the corresponding Institute campus on such commencement at the same level of study in the Institute campus from which such person migrated; and

(e) all suits and other legal proceedings instituted or which could have been instituted by or against the Society, immediately before the commencement of this Act shall be continued or instituted by or against the Institute.

**Functions of
Institute.**

7. The functions of the Institute shall be—

(i) to nurture and promote quality and excellence in education and research in the areas of footwear and leather products design and development and allied fields thereof;

(ii) develop and conduct courses leading to graduate and post-graduate degrees, doctoral and post-doctoral courses and research in the areas of footwear and leather products design and development and allied fields thereof;

(iii) to hold examinations and grant degrees, diplomas, certificates, or any other qualification;

(iv) to institute fellowships, scholarships and confer awards, honorary degrees or other academic distinctions or titles;

(v) to co-operate, associate and collaborate with educational or other institutions, research organisations or bodies corporate in any part of the world having objects wholly or partly similar to those of the Institute by exchange of faculty members, students, staff and scholars and generally in such manner as may be conducive to their common objective;

(vi) to conduct courses for teachers, technologists and other professionals in the areas of footwear and leather products design and development and allied fields thereof;

(vii) to undertake research, survey, and studies and application thereof, for improved quality and design, testing, and international marketing;

(viii) to provide consultancy, testing, inspection, certification, project implementation and design support to the institutions and industries in any part of the world;

- (ix) to develop an international centre for creation and transmission of information, with focus on educational, professional and industrial commitments;
- (x) to conduct skill development programs and to provide technical assistance to artisans, craftsmen, manufacturers, designers and exporters;
- (xi) to design, develop, amend, update curriculums of the academic programs and training materials as per the sector's requirement and change of technology;
- (xii) to acquire any patent or license relating to such invention, improvement or design or standardisation marks whether for general or specific purposes;
- (xiii) to establish, form and maintain museums, libraries and collections of literature and films, slides, photographs, prototypes and other information;
- (xiv) to function as a National resource centre for curriculum development, training the trainers and support skill development in the leather sector overall;
- (xv) to frame the Statutes and the Ordinances and to alter, modify or rescind the same; and
- (xvi) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Institute.

8. (1) Subject to the provisions of this Act, the Governing Council, under overall control of the Central Government, shall be responsible for the general superintendence, direction and control of the affairs of the Institute and shall exercise all the powers not otherwise provided for by this Act, the Statutes and the Ordinances, and shall have the power to review the acts of the Senate.

Powers of
Governing
Council.

(2) Without prejudice to the provisions of sub-section (1), the Governing Council shall—

- (a) take decisions on questions of policy relating to the administration and working of the Institute;
- (b) institute academic and other posts and to make appointments thereto (except in the case of the Managing Director, Secretary and Executive Director);
- (c) frame the Statutes and the Ordinances and to alter, modify or rescind the same;
- (d) consider and pass resolutions on the annual report, the annual audited accounts and the budget estimates of the Institute for the next financial year as it thinks fit together with a statement of its development plans;
- (e) receive gifts, grants, donations or benefactions from the Government and to receive bequests, donations and transfers of movable or immovable properties from the testators, donors or transferors, as the case may be; and
- (f) do all such things as may be necessary, incidental or conducive to the attainment of all or any of the aforesaid powers.

(3) The Governing Council shall have the power to appoint such committees, as it considers necessary for the exercise of its powers and the performance of its duties under this Act.

(4) Notwithstanding anything contained in sub-section (2) of section 4, the Governing Council shall not dispose of in any manner any immovable property without the prior approval of the Central Government.

(5) The Central Government may appoint one or more persons to review the work and

progress of the Institute and to hold inquiries into the affairs thereof and to report thereon in such manner as the Central Government may direct.

(6) Upon receipt of any such report, the Central Government may take such action and issue such directions as it considers necessary in respect of any of the matters dealt within the report and the Institute shall be bound to comply with such directions.

(7) The Central Government shall have the power to remove Chairperson or other Members or reconstitute the Governing Council, if it considers it appropriate to do so.

(8) No Chairperson or Member shall be removed under sub-section (7) unless he has been given a reasonable opportunity of being heard in the matter.

Institute be open to all races, creeds and classes.

9. (1) The Institute shall be open to persons of all sex and of whatever race, creed, caste or class, and no test or condition shall be imposed as to religious belief or profession in admitting or appointing members, students, teachers or workers or in any other connection whatsoever.

(2) No bequest, donation or transfer of any property shall be accepted by the Institute, which in the opinion of the Governing Council involves conditions or obligations opposed to the spirit and object of this section.

Teaching at Institute.

10. All teaching at the campuses of the Institute shall be conducted by or in the name of the Institute in accordance with the Statutes and the Ordinances made in this behalf.

Visitor.

11. The President of India shall be the Visitor of the Institute.

Authorities of Institute.

12. The following shall be the authorities of the Institute, namely:—

(a) a Governing council;

(b) a Senate; and

(c) such other authorities as may be declared by the Statutes to be the authorities of the Institute.

The Senate.

13. The Senate of the Institute shall consist of the following persons, namely:—

(a) the Managing Director, *ex officio* who shall be the Chairperson of the Senate;

(b) the Secretary, *ex officio*;

(c) the Executive Directors of all Institute campus, *ex officio*;

(d) all Senior Professors of the Institute;

(e) three persons, not being employees of the Institute, to be nominated by the Chairperson in consultation with the Managing Director, from amongst educationists of repute, from the fields of footwear, science, engineering and humanities and one of them shall be woman;

(f) one alumnus of the Institute to be nominated by the Chairperson in consultation with the Managing Director by rotation; and

(g) such other members of the staff as may be laid down in the Statutes.

Functions of Senate.

14. (1) Subject to the provisions of this Act, the Statutes and the Ordinances, the Senate of the Institute shall be the principal academic body of the Institute and shall have the control and general regulation, and be responsible for the maintenance of standards of instruction, education and examinations in the Institute and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.

(2) Without prejudice to the provisions of sub-section (1), the Senate shall have the following powers, namely:—

(a) to specify the criteria and process for admission to courses or programmes of study by the Institute;

(b) to recommend to the Governing Council for creation of teaching and other academic posts, determination of number and emoluments of such posts and defining the duties and conditions of service of teachers and other academic posts;

(c) to recommend to the Governing Council for commencement of new programmes and course of study;

(d) to specify academic contents of programmes and course of study and to undertake modifications therein;

(e) to specify the academic calendar and approve grant of degrees, diplomas and other academic distinctions or titles; and

(f) to exercise such other powers and discharge such other functions as may be assigned to it, by Statutes or by the Governing Council.

15. (1) The Chairperson shall ordinarily preside at the meetings of the Governing Council and at the Convocations of the Institute.

Functions,
powers and
duties of
Chairperson.

(2) The Chairperson shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes.

(3) The Chairperson shall have the authority to review periodically the work and progress of the Institute and to order enquiries into the affairs of the Institute.

16. (1) The Managing Director of the Institute shall be appointed by the Central Government for a tenure of five years and on such terms and conditions of services as may be prescribed.

Managing
Director.

(2) The Managing Director shall be the principal executive officer of the Institute and shall be responsible for the proper administration of the Institute and for imparting of instruction and maintenance of discipline therein.

(3) The Managing Director shall exercise such other powers and perform such other duties as may be assigned to him by this Act, the Statutes and the Ordinances or delegated by the Governing Council or the Senate.

(4) The Managing Director shall submit annual reports and accounts to the Governing Council.

(5) The Central Government shall have the power to remove the Managing Director before the tenure of five years, if it considers it appropriate to do so on the grounds of misconduct or incapacity after giving him an opportunity of being heard in the matter.

(6) The Managing Director shall be responsible for the implementation of the decision of the Governing Council and the Senate.

17. (1) The Secretary of the Institute shall be appointed by the Central Government for a tenure of five years and on such terms and conditions of service as may be prescribed.

Secretary.

(2) The Secretary shall act as the Secretary of the Governing Council, the Senate and such committees as may be specified by the Statutes.

(3) The Secretary shall be responsible to the Managing Director for the proper discharge of his functions.

(4) The Secretary shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes or the Managing Director.

18. (1) The Executive Director of each Institute campus shall be appointed by the Central Government for a tenure of five years and on such terms and conditions as may be prescribed and shall exercise such powers and perform such duties as may be assigned to him by this Act or the Statutes or by the Managing Director.

Executive
Director.

(2) The Executive Director shall be the principal academic and executive officer of the Institute campus and shall be responsible for the implementation of the decision of the Governing Council and the Senate and the day-to-day administration of the Institute campus in consultation with the Managing Director.

Power and duties of other authorities and officers.

19. The powers and duties of authorities and officers, other than those hereinbefore mentioned, shall be determined by the Statutes.

Grants by Central Government.

20. For the purpose of enabling the Institute to discharge its functions efficiently under this Act, the Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Institute in each financial year such sums of money and in such manner as it may think fit.

Funds of Institute.

21. (1) The Institute shall maintain a Fund to which shall be credited—

(a) all moneys provided by the Central Government;

(b) all fees and other charges received by the Institute;

(c) all moneys received by the Institute by way of loans, grants, gifts, donations, benefactions, bequests or transfers; and

(d) all moneys received by the Institute in any other manner or from any other source.

(2) All moneys credited to the Fund shall be deposited in such banks or invested in such manner as the Institute may, with the approval of the Governing Council decide.

(3) The Fund shall be applied towards meeting the expenses of the Institute, including expenses incurred in the exercise of its powers and discharge of its duties under this Act.

Setting up of endowment fund.

22. Notwithstanding anything contained in section 21, the Central Government may direct the Institute to—

(a) set-up an endowment fund and any other fund for specified purpose; and

(b) transfer money from its Fund to endowment fund or any other fund.

Accounts and audit.

23. (1) The Institute shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the balance sheet, in such form as may be specified, in accordance with such general directions as may be issued by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Institute shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Institute to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India, generally has in connection with the audit of the Government accounts, and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Institute.

(4) The accounts of the Institute as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

24. (1) The Institute shall constitute, for the benefit of its employees, including the Managing Director in such manner and subject to such conditions as may be specified by the Statutes, such pension, insurance and provident funds as it may consider necessary.

Pension and provident fund.

19 of 1925. (2) Where any such provident fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 shall apply to such fund as if it were a Government Provident Fund.

25. All appointments of the staff of the Institute, except that of the Managing Director, Secretary and Executive Director shall be made in accordance with the procedure laid down in the Statutes by—

Appointment.

(a) the Governing Council, if the appointment is made on the academic staff in the post of Assistant Professor or above or if the appointment is made on the non-academic staff in any cadre, the maximum of the pay scale for which is the same or higher than that of Assistant Professor; and

(b) the Managing Director, in any other case.

26. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

Statutes.

(a) the formation of departments of teaching, centre of research, establishment of workshops, laboratories, studios;

(b) the institution of fellowships, scholarships, exhibitions, medals and prizes;

(c) the classification, term of office, qualification, the method of appointment and the determination of the terms and conditions of service of officers, teachers and other staff of the Institute;

(d) the reservation of posts for the Scheduled Castes, the Scheduled Tribes and other backward categories of person as may be determined by the Central Government;

(e) the constitution of pension, insurance and provident funds for the benefit of the officers, teachers and other staff of the Institute;

(f) the constitution, powers and duties of the authorities of the Institute;

(g) the manner of filling up of vacancies among members of the Governing Council;

(h) the authentication of the orders and decisions of the Governing Council;

(i) the meetings of the Governing Council, Senate or any Committee, the quorum at such meetings and the procedure to be followed in the conduct of their business;

(j) conferment of honorary degree;

(k) the establishment and maintenance of halls and hostels;

(l) the conditions of residence of students of the Institute and the levying of the fees for residence in the halls and hostels and other charges; and

(m) any other matter which by this Act is to be or may be specified by the Statutes.

27. (1) The first Statutes of the Institute shall be framed by the Governing Council with the previous approval of the Visitor and shall be laid as soon as may be before each House of Parliament.

Statutes how made.

(2) The Governing Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner hereafter in this section provided.

(3) Every new Statute or addition to the Statute or any amendment or repeal of a Statute shall require the previous approval of the Visitor who may remit it to the Governing Council for consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

Ordinances.

28. Subject to the provisions of this Act and the Statutes, the Ordinances of the Institute may provide for all or any of the following matters, namely:—

(a) the admission of the students to the Institute;

(b) the reservation for the Scheduled Castes, the Scheduled Tribes and other backward categories of persons;

(c) the courses of study to be laid down for all degrees, diplomas and certificates of the Institute;

(d) the conditions under which students shall be admitted to the degree, diploma and certificate courses and to the examinations of the Institute and award of degrees, diplomas and certificates;

(e) the conditions for award of fellowships, scholarships, exhibitions, medals and prizes;

(f) the conditions and mode of appointment and duties of examining body, examiners and moderators;

(g) the conduct of examinations;

(h) the maintenance of discipline among the students of the Institute;

(i) the fees to be charged for courses of study in the Institute and for admission to the examinations of degrees, diplomas and certificates of the Institute; and

(j) any other matter which by this Act or the Statutes is to be or may be provided for by the Ordinances.

Ordinance how made.

29. (1) Save as otherwise provided in this section, Ordinances shall be made by the Senate.

(2) All Ordinances made by the Senate shall have effect from such date as it may direct, but every Ordinance so made shall be submitted, as soon as may be, to the Governing Council and shall be considered by the Governing Council at its next succeeding meeting.

(3) The Governing Council shall have power by resolution to modify or cancel any such Ordinance and such Ordinance shall from the date of such resolution stand modified accordingly or cancelled, as the case may be.

Tribunal of Arbitration.

30. (1) Any dispute arising out of a contract between the Institute and any of its employees shall, at the request of the employee concerned or at the instance of the Institute, be referred to a Tribunal of Arbitration consisting of one member appointed by the Institute, one member nominated by the employee and an umpire appointed by the Visitor.

(2) The decision of the Tribunal of Arbitration shall be final and shall not be questioned in any court.

(3) No suit or proceeding shall lie in any court in respect of any matter which is required by sub-section (1) to be referred to the Tribunal of Arbitration.

(4) The Tribunal of Arbitration shall have power to regulate its own procedure.

(5) Nothing in any law for the time being in force relating to arbitration shall apply to arbitration under this section.

CHAPTER III

MISCELLANEOUS

31. No act of the Institute or Governing Council or Senate or any other body set-up under this Act or the Statutes, shall be invalid merely by reason of—

- (a) any vacancy in, or defect in the constitution thereof; or
- (b) any defect in the election, nomination or appointment of a person acting as a member thereof; or
- (c) any irregularity in its procedure not affecting the merits of the case.

Act and proceedings not to be invalidated by vacancies.

32. Notwithstanding anything contained in this Act, whenever the Institute receives funds from any Government, the University Grants Commission or any other agency, including industry sponsoring a research scheme or a consultancy assignment or a teaching programme or a chaired professorship or a scholarship, etc., to be executed or endowed at the Institute—

- (a) the amount received shall be kept by the Institute separately from the Fund of the Institute and utilised only for the purpose of the scheme; and
- (b) the staff required to execute the same shall be recruited in accordance with the terms and conditions stipulated by the sponsoring organisations:

Sponsored schemes.

Provided that any money remaining unutilised shall be transferred to the endowment fund created under section 22 of this Act.

33. The Institute shall have the power to grant degrees, diplomas, certificates and other academic distinctions under this Act, which shall be equivalent to such corresponding degrees, diplomas, certificates and other academic distinctions granted by any University or Institute established or incorporated under any other law for the time being in force.

Power of Institute to grant degree, etc.

22 of 2005.

34. The provisions of the Right to Information Act, 2005 shall apply to the Institute, as if it were a public authority as defined in clause (h) of section 2 of the Right to Information Act, 2005.

Institute to be public authority under the Right to Information Act, 2005.

35. (1) The Central Government may, by notification, make rules to carry out the purposes of this Act.

Power of Central Government to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the manner of appointment of the Managing Director, Secretary and Executive Director and terms and conditions of his services;
- (b) the terms and conditions of service of the Managing Director, Secretary and the Executive Director under sub-section (1) of section 16, sub-section (1) of section 17 and sub-section (1) of section 18;
- (c) the form and manner in which the books of account of the Institute shall be maintained under sub-section (1) of section 23; and
- (d) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of

no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Returns and information to be provided to Central Government.

Transitional provisions.

36. The Institute shall furnish to the Central Government such returns or other information with respect to policies or activities as the Central Government may, for the purpose of reporting to Parliament or for the making of policy, from time to time, require.

37. Notwithstanding anything contained in this Act—

(a) the Governing Council of the Society functioning as such, immediately before the commencement of this Act shall continue to so function until a new Governing Council is constituted for the Institute under this Act, but on the constitution of a new Governing Council under this Act the members of the Governing Council holding office before such constitution shall cease to hold office;

(b) until the first Statutes and the Ordinances are made under this Act, the rules and regulations, instructions and guidelines of the Society as in force, immediately before the commencement of this Act, shall continue to apply to the Institute insofar as they are not inconsistent with the provisions of this Act; and

(c) any student who joined classes of the existing Institute on or after the academic year 2012-2013 or completed the course on or after the academic year 2013-2014 shall for the purposes of clause (iii) of section 7, be deemed to have pursued a course of study in the existing Institute if such student has not already been awarded degree or diploma for the same course of study.

Statute and Ordinance to be published in the Official Gazette and to be laid before Parliament.

38. (1) Every Statute or Ordinance made under this Act shall be published in the Official Gazette.

(2) Every Statute or Ordinance made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute or Ordinance or both Houses agree that the Statute or Ordinance should not be made, the Statute or Ordinance shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute or Ordinance.

(3) The power to make Statutes or Ordinances shall include the power to give retrospective effect with the approval of the Central Government from a date not earlier than the date of commencement of this Act to Statutes or Ordinances or any of them but no retrospective effect shall be given to any Statute or Ordinance so as to prejudicially affect the interests of any person to whom such Statutes or Ordinances may be applicable.

Power to remove difficulties.

39. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provision or give such direction not inconsistent with the purposes of this Act, as appears to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

THE SCHEDULE

[See section 3(h)]

INSTITUTE CAMPUSES

Sl. No.	Name of the State	Name and address of the existing Institute campus and its location
(1)	(2)	(3)
1.	Uttar Pradesh	Footwear Design and Development Institute, A-10/A, Sector-24, Noida, Gautam Budh Nagar, Pin-201301.
2.	Tamil Nadu	Footwear Design and Development Institute, Plot No: E-1, SIPCOT Industrial Park, Irrungattukotai, Kancheepuram.
3.	West Bengal	Footwear Design and Development Institute, Kolkata Leather Complex, Mouzakariadanga, J.L No-32 and Gangapur, J.L No-35, Kolkata.
4.	Haryana	Footwear Design and Development Institute, Plot No- 1, Sector-31 B, IMT Rohtak.
5.	Rajasthan	Footwear Design and Development Institute,Village Mandor, Tehsil Jodhpur, District- Jodhpur.
6.	Uttar Pradesh	Footwear Design and Development Institute, Sultanpur Road, Fursatganj, Raebareli, Pin-229302.
7.	Madhya Pradesh	Footwear Design and Development Institute, Corner Plot, Khasara No:31, Nagpur-Batil Road, Immlikhera Chowk, Chhindwara.
8.	Madhya Pradesh	Footwear Design and Development Institute,Gram Maharajpura Panchayat, Hari Pur, Phawa No-42, Survey No.571/158, 61/1/1 on Gram Puraposar Road, Guna.
9.	Bihar	Footwear Design and Development Institute, Plot No P-6, Megha Industrial Area, Moza Dumri, Arra Road, Patna.
10.	Telengana	Footwear Design and Development Institute, LIDCAP Campus, HS Durga, Gachibowli, Bidar-Hyderabad Road, Hyderabad.
11.	Gujarat	Footwear Design and Development Institute, Plot No H-3301, Near ESIC Hospital, Ankleshwar Industrial Estate, Ankleshwar.

(1)	(2)	(3)
12. Punjab		Footwear Design and Development Institute, District SAS Nagar (Mohali), Chandigarh-Patiala Highway, Chandigarh.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

CORRIGENDUM

In the ENFORCEMENT OF SECURITY INTEREST AND RECOVERY OF DEBTS LAWS AND MISCELLANEOUS PROVISIONS (AMENDMENT) ACT, 2016 (44 OF 2016) as published in the Gazette of India, Extraordinary, Part II, **Section 1, Issue No. 51, dated the 16th August, 2016,—**

Page No.	Line(s) No.	For	Read
17	1	“(ii) for sub-section (3), the following sub-section shall be substituted, namely:—”	“(ii) for the opening portion of sub-section (3), the following shall be substituted, namely:—”

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 5th August, 2017/Shravana 14, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 4th August, 2017 and is hereby published for general information:—

THE COLLECTION OF STATISTICS (AMENDMENT) ACT, 2017

No. 21 OF 2017

[4th August, 2017.]

An Act to amend the Collection of Statistics Act, 2008.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Collection of Statistics (Amendment) Act, 2017.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

7 of 2009.

2. In the Collection of Statistics Act, 2008 (hereinafter referred to as the principal Act), in section 1, for sub-section (2), the following sub-section shall be substituted, namely:

"(2) It extends to the whole of India :

Provided that it shall apply to the State of Jammu and Kashmir in so far as it relates to statistics pertaining to matters falling under any of the entries specified in List I (Union List) or List III (Concurrent List) in the Seventh Schedule to the Constitution as applicable to that State.".

Amendment of section 1.

Amendment
of section 2.

3. In the principal Act, in section 2, after clause (d), the following clause shall be inserted, namely:—

'(da) "nodal officer" means the officer designated as a nodal officer under sub-section (1) of section 3A;'

Insertion of
new section
3A.

4. In the principal Act, after section 3, the following section shall be inserted, namely:—

"3A. (1) The Central Government or a State Government or Union territory Administration shall designate one of its officers as a nodal officer for the purposes of statistics under this Act.

(2) The nodal officer shall coordinate and supervise such statistical activities in the Central Government or the State Government or Union territory Administration, as the case may be, in which he is designated, and shall exercise such other powers and perform such other duties, as may be prescribed.".

Amendment
of section 9.

5. In the principal Act, in section 9, for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) The statistics officer or any person or agencies authorised under this Act shall, for statistical purposes, use any information furnished under section 6 in such manner as may be prescribed."

6. In the principal Act, in section 33,—

(i) in sub-section (1), after the words "The Central Government may", the words "subject to the condition of previous publication" shall be inserted;

(ii) in sub-section (2),—

(A) after clause (a), the following clause shall be inserted, namely:—

"(aa) the coordination and supervision of statistical activities by the nodal officer and the powers and duties of the nodal officer under sub-section (2) of section 3A;";

(B) after clause (d), the following clause shall be inserted, namely:—

"(da) the manner of use of information under sub-section (1) of section 9;".

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 9th August, 2017/Shravana 18, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 9th August, 2017 and is hereby published for general information:—

**THE ADMIRALTY (JURISDICTION AND SETTLEMENT OF
MARITIME CLAIMS) ACT, 2017**

No. 22 OF 2017

[9th August, 2017.]

An Act to consolidate the laws relating to admiralty jurisdiction, legal proceedings in connection with vessels, their arrest, detention, sale and other matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017.

Short title,
application
and
commencement.

(2) It shall apply to every vessel, irrespective of the place of residence or domicile of the owner:

Provided that this Act shall not apply to an inland vessel defined in clause (a) of sub-section (1) of section 2 of the Inland Vessels Act, 1917, or a vessel under construction that has not been launched unless it is notified by the Central Government to be a vessel for the purposes of this Act:

Provided further that this Act shall not apply to a warship, naval auxiliary or other vessel owned or operated by the Central or a State Government and used for any non-commercial purpose, and, shall also not apply to a foreign vessel which is used for any non-commercial purpose as may be notified by the Central Government.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. (1) In this Act,—

(a) "admiralty jurisdiction" means the jurisdiction exercisable by a High Court under section 3, in respect of maritime claims specified under this Act;

(b) "admiralty proceeding" means any proceeding before a High Court, exercising admiralty jurisdiction;

(c) "arrest" means detention or restriction for removal of a vessel by order of a High Court to secure a maritime claim including seizure of a vessel in execution or satisfaction of a judgment or order;

(d) "goods" means any property including live animals, containers, pallets or such other articles of transport or packaging or luggage irrespective of the fact whether such property is carried, on or under the deck of a vessel;

(e) "High Court", in relation to an admiralty proceeding, means any of the High Court of Calcutta, High Court of Bombay, High Court of Madras, High Court of Karnataka, High Court of Gujarat, High Court of Orissa, High Court of Kerala, High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh or any other High Court, as may be notified by the Central Government for the purposes of this Act;

(f) "maritime claim" means a claim referred to in section 4;

(g) "maritime lien" means a maritime claim against the owner, demise charterer, manager or operator of the vessel referred to in clauses (a) to (e) of sub-section (1) of section 9, which shall continue to exist under sub-section (2) of that section;

(h) "notification" means a notification published in the Official Gazette;

(i) "port" shall have the same meaning as assigned to it in the Indian Ports Act, 1908;

(j) "prescribed" means prescribed by rules made by the Central Government under this Act;

(k) "territorial waters" shall have the same meaning as assigned to it in the Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976; and

(l) "vessel" includes any ship, boat, sailing vessel or other description of vessel used or constructed for use in navigation by water, whether it is propelled or not, and includes a barge, lighter or other floating vessel, a hovercraft, an off-shore industry mobile unit, a vessel that has sunk or is stranded or abandoned and the remains of such a vessel.

Explanation.—A vessel shall not be deemed to be a vessel for the purposes of this clause, when it is broken up to such an extent that it cannot be put into use for navigation, as certified by a surveyor.

(2) The words and expressions used herein but not defined and defined in the Merchant Shipping Act, 1958 shall have the meanings respectively assigned to them in that Act.

15 of 1908.

80 of 1976.

44 of 1958.

CHAPTER II

ADMIRALTY JURISDICTION AND MARITIME CLAIMS

Admiralty jurisdiction.

3. Subject to the provisions of sections 4 and 5, the jurisdiction in respect of all maritime claims under this Act shall vest in the respective High Courts and be exercisable over the waters up to and including the territorial waters of their respective jurisdictions in accordance with the provisions contained in this Act:

Provided that the Central Government may, by notification, extend the jurisdiction of the High Court up to the limit as defined in section 2 of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976.

4. (I) The High Court may exercise jurisdiction to hear and determine any question on a maritime claim, against any vessel, arising out of any—

Maritime
claim.

(a) dispute regarding the possession or ownership of a vessel or the ownership of any share therein;

(b) dispute between the co-owners of a vessel as to the employment or earnings of the vessel;

(c) mortgage or a charge of the same nature on a vessel;

(d) loss or damage caused by the operation of a vessel;

(e) loss of life or personal injury occurring whether on land or on water, in direct connection with the operation of a vessel;

(f) loss or damage to or in connection with any goods;

(g) agreement relating to the carriage of goods or passengers on board a vessel, whether contained in a charter party or otherwise;

(h) agreement relating to the use or hire of the vessel, whether contained in a charter party or otherwise;

(i) salvage services, including, if applicable, special compensation relating to salvage services in respect of a vessel which by itself or its cargo threatens damage to the environment;

(j) towage;

(k) pilotage;

(l) goods, materials, perishable or non-perishable provisions, bunker fuel, equipment (including containers), supplied or services rendered to the vessel for its operation, management, preservation or maintenance including any fee payable or leviable;

(m) construction, reconstruction, repair, converting or equipping of the vessel;

(n) dues in connection with any port, harbour, canal, dock or light tolls, other tolls, waterway or any charges of similar kind chargeable under any law for the time being in force;

(o) claim by a master or member of the crew of a vessel or their heirs and dependents for wages or any sum due out of wages or adjudged to be due which may be recoverable as wages or cost of repatriation or social insurance contribution payable on their behalf or any amount an employer is under an obligation to pay to a person as an employee, whether the obligation arose out of a contract of employment or by operation of a law (including operation of a law of any country) for the time being in force, and includes any claim arising under a manning and crew agreement relating to a vessel, notwithstanding anything contained in the provisions of sections 150 and 151 of the Merchant Shipping Act, 1958;

44 of 1958.

(p) disbursements incurred on behalf of the vessel or its owners;

(q) particular average or general average;

(r) dispute arising out of a contract for the sale of the vessel;

(s) insurance premium (including mutual insurance calls) in respect of the vessel, payable by or on behalf of the vessel owners or demise charterers;

(t) commission, brokerage or agency fees payable in respect of the vessel by or on behalf of the vessel owner or demise charterer;

(u) damage or threat of damage caused by the vessel to the environment, coastline or related interests; measures taken to prevent, minimise, or remove such damage; compensation for such damage; costs of reasonable measures for the restoration of the environment actually undertaken or to be undertaken; loss incurred or likely to be incurred by third parties in connection with such damage; or any other damage, costs, or loss of a similar nature to those identified in this clause;

(v) costs or expenses relating to raising, removal, recovery, destruction or the rendering harmless of a vessel which is sunk, wrecked, stranded or abandoned, including anything that is or has been on board such vessel, and costs or expenses relating to the preservation of an abandoned vessel and maintenance of its crew; and

(w) maritime lien.

Explanation.—For the purposes of clause (q), the expressions "particular average" and "general average" shall have the same meanings as assigned to them in sub-section (l) of section 64 and sub-section (2) of section 66 respectively of the Marine Insurance Act, 1963.

11 of 1963.

(2) While exercising jurisdiction under sub-section (1), the High Court may settle any account outstanding and unsettled between the parties in relation to a vessel, and direct that the vessel, or any share thereof, shall be sold, or make such other order as it may think fit.

(3) Where the High Court orders any vessel to be sold, it may hear and determine any question arising as to the title to the proceeds of the sale.

(4) Any vessel ordered to be arrested or any proceeds of a vessel on sale under this Act shall be held as security against any claim pending final outcome of the admiralty proceeding.

5. (1) The High Court may order arrest of any vessel which is within its jurisdiction for the purpose of providing security against a maritime claim which is the subject of an admiralty proceeding, where the court has reason to believe that—

(a) the person who owned the vessel at the time when the maritime claim arose is liable for the claim and is the owner of the vessel when the arrest is effected; or

(b) the demise charterer of the vessel at the time when the maritime claim arose is liable for the claim and is the demise charterer or the owner of the vessel when the arrest is effected; or

(c) the claim is based on a mortgage or a charge of the similar nature on the vessel; or

(d) the claim relates to the ownership or possession of the vessel; or

(e) the claim is against the owner, demise charterer, manager or operator of the vessel and is secured by a maritime lien as provided in section 9.

(2) The High Court may also order arrest of any other vessel for the purpose of providing security against a maritime claim, in lieu of the vessel against which a maritime claim has been made under this Act, subject to the provisions of sub-section (1):

Provided that no vessel shall be arrested under this sub-section in respect of a maritime claim under clause (a) of sub-section (1) of section 4.

6. Subject to section 7, the High Court may exercise admiralty jurisdiction by action *in personam* in respect of any maritime claim referred to in clauses (a) to (w) of sub-section (1) of section 4.

44 of 1958.

7. (1) Where any maritime claim arising in respect of a damage or loss of life or personal injury arising out of any—

Restrictions
on actions *in
personam* in
certain cases.

(i) collision between vessels,

(ii) the carrying out of or omission to carry out, a manoeuvre in the case of one or more vessels,

(iii) non-compliance, on the part of one or more vessels, with the collision regulations made in pursuance of section 285 of the Merchant Shipping Act, 1958,

the High Court shall not entertain any action under this section against any defendant unless—

(a) the cause of action, wholly or in part, arises in India; or

(b) the defendant, at the time of commencement of the action by the High Court, actually and voluntarily resides or carries on business or personally works for gain in India:

Provided that an action may be entertained in a case, where there are more defendants than one and where one of the defendants who does not actually and voluntarily reside or carry on business or personally work for gain in India is made a party to such action either with the leave of the court, or each of the defendants acquiesces in such action.

(2) The High Court shall not entertain any action *in personam* to enforce a claim to which this section applies until any proceedings previously brought by the plaintiff in any court outside India against the same defendant in respect of the same incident or series of incidents have been discontinued or have otherwise come to an end.

(3) The provisions of sub-section (2) shall apply to counter-claims as they apply to actions except counter-claims in proceedings arising out of the same incident or series of incidents.

(4) A reference to the plaintiff and the defendant for the purpose of sub-section (3) shall be construed as reference to the plaintiff in the counter-claim and the defendant in the counter-claim respectively.

(5) The provisions of sub-sections (2) and (3) shall not apply to any action or counter-claim if the defendant submits or agrees to submit to the jurisdiction of the High Court.

(6) Subject to the provisions of sub-section (2), the High Court shall have jurisdiction to entertain an action *in personam* to enforce a claim to which this section applies whenever any of the conditions specified, in clauses (a) and (b) of sub-section (1) is satisfied and any law for the time being in force relating to the service of process outside the jurisdiction shall apply.

8. On the sale of a vessel under this Act by the High Court in exercise of its admiralty jurisdiction, the vessel shall vest in the purchaser free from all encumbrances, liens, attachments, registered mortgages and charges of the same nature on the vessel.

Vesting of
rights on sale
of vessels.

9. (1) Every maritime lien shall have the following order of *inter se* priority, namely:—

Inter se
priority on
maritime lien.

(a) claims for wages and other sums due to the master, officers and other members of the vessel's complement in respect of their employment on the vessel, including costs of repatriation and social insurance contributions payable on their behalf;

(b) claims in respect of loss of life or personal injury occurring, whether on land or on water, in direct connection with the operation of the vessel;

(c) claims for reward for salvage services including special compensation relating thereto;

(d) claims for port, canal, and other waterway dues and pilotage dues and any other statutory dues related to the vessel;

(e) claims based on tort arising out of loss or damage caused by the operation of the vessel other than loss or damage to cargo and containers carried on the vessel.

(2) The maritime lien specified in sub-section (1) shall continue to exist on the vessel notwithstanding any change of ownership or of registration or of flag and shall be extinguished after expiry of a period of one year unless, prior to the expiry of such period, the vessel has been arrested or seized and such arrest or seizure has led to a forced sale by the High Court:

Provided that for a claim under clause (a) of sub-section (1), the period shall be two years from the date on which the wage, sum, cost of repatriation or social insurance contribution, falls due or becomes payable.

(3) The maritime lien referred to in this section shall commence—

(a) in relation to the maritime lien under clause (a) of sub-section (1), upon the claimant's discharge from the vessel;

(b) in relation to the maritime liens under clauses (b) to (e) of sub-section (1), when the claim arises,

and shall run continuously without any suspension or interruption:

Provided that the period during which the vessel was under arrest or seizure shall be excluded.

(4) No maritime lien shall attach to a vessel to secure a claim which arises out of or results from—

(a) damage in connection with the carriage of oil or other hazardous or noxious substances by sea for which compensation is payable to the claimants pursuant to any law for the time being in force;

(b) the radioactive properties or a combination of radioactive properties with toxic, explosive or other hazardous properties of nuclear fuel or of radioactive products or waste.

10. (1) The order of maritime claims determining the *inter se* priority in an admiralty proceeding shall be as follows:—

(a) a claim on the vessel where there is a maritime lien;

(b) registered mortgages and charges of same nature on the vessel;

(c) all other claims.

(2) The following principles shall apply in determining the priority of claims *inter se*—

(a) if there are more claims than one in any single category of priority, they shall rank equally;

(b) claims for various salvages shall rank in inverse order of time when the claims thereto accrue.

11. (1) The High Court may, as a condition of arrest of a vessel, or for permitting an arrest already effected to be maintained, impose upon the claimant who seeks to arrest or who has procured the arrest of the vessel, an obligation to provide an unconditional undertaking to pay such sums of money as damages or such security of a kind for an amount and upon such terms as may be determined by the High Court, for any loss or damage which may be incurred by the defendant as a result of the arrest, and for which the claimant may be found liable, including but not restricted to the following, namely:—

(a) the arrest having been wrongful or unjustified; or

(b) excessive security having been demanded and provided.

Order of priority of maritime claims.

Protection of owner, demise charterer, manager or operator or crew of vessel arrested.

(2) Where pursuant to sub-section (1), the person providing the security may at any time, apply to the High Court to have the security reduced, modified or cancelled for sufficient reasons as may be stated in the application.

(3) If the owner or demise charterer abandons the vessel after its arrest, the High Court shall cause the vessel to be auctioned and the proceeds appropriated and dealt with in such manner as the court may deem fit within a period of forty-five days from the date of arrest or abandonment:

Provided that the High Court shall, for reasons to be recorded in writing, extend the period of auction of the vessel for a further period of thirty days.

CHAPTER III

PROCEDURE AND APPEALS

5 of 1908.

12. The provisions of the Code of Civil Procedure, 1908 shall apply in all the proceedings before the High Court in so far as they are not inconsistent with or contrary to the provisions of this Act or the rules made thereunder.

Application of
Code of Civil
Procedure.

13. (1) Notwithstanding anything contained in any other law for the time being in force, the Central Government shall appoint by notification, a list of assessors with such qualifications and experience in admiralty and maritime matters, the nature of duties to be performed by them, the fees to be paid to them and other ancillary or incidental matters for the purposes of this Act, in the manner as may be prescribed.

Assistance of
assessors.

(2) The appointment of assessors shall not be construed as a bar to the examination of expert witnesses by any of the parties in any admiralty proceeding.

14. Notwithstanding anything contained in any other law for the time being in force, an appeal shall lie from any judgment, decree or final order or interim order of a single Judge of the High Court under this Act to a Division Bench of the High Court.

Appeal.

15. The Supreme Court may on an application of any party, transfer, at any stage, any admiralty proceeding from one High Court to any other High Court and the latter High Court shall proceed to try, hear and determine the matter from the stage at which it stood at the time of transfer:

Transfer of
proceedings
by Supreme
Court.

Provided that no such proceeding shall be transferred unless parties to the proceeding have been given an opportunity of being heard in the matter.

CHAPTER IV

MISCELLANEOUS

16. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to
make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, the rules may provide for all or any of the following matters, namely:—

(a) the qualification, experience, nature of duties and fee to be paid to the assessors and other ancillary or incidental matters under sub-section (1) of section 13;

(b) the practice and procedure of admiralty jurisdiction under this Act including fees, costs and expenses in such proceedings; and

(c) any other matter which is required to be, or may be, prescribed.

(3) Until rules are made under sub-section (2) by the Central Government, all rules for the time being in force governing the exercise of admiralty jurisdiction in the High Courts shall be applicable.

(4) Every rule made under this Act shall be laid, as soon as may be after the rule is made, or notification issued before each House of Parliament while it is in session for a total period of thirty days comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid both Houses agree in making any modification in the rule or notification or both Houses agree that the rule or notification should not be made or issued, the rule or notification shall thereafter have effect, only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

Repeal and savings.

17. (1) The application in India of the following enactments are hereby repealed—

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> (a) the Admiralty Court Act, 1840; (b) the Admiralty Court Act, 1861; (c) the Colonial Courts of Admiralty Act, 1890; (d) the Colonial Courts of Admiralty (India) Act, 1891; and | 3 & 4 Vict.,
c. 65.
24 & 25
Vict., c. 10.
53 and 54
vict., c. 27.
16 of 1891. |
| (e) the provisions of the Letters Patent, 1865 in so far as they apply to the admiralty jurisdiction of the Bombay, Calcutta and Madras High Courts. | |

(2) Notwithstanding the repeal, all admiralty proceedings pending in any High Court immediately before the commencement of this Act shall continue to be adjudicated by such court in accordance with the provisions of this Act.

(3) Anything done or any action taken, under the provisions of the repealed enactments, shall in so far as such thing or action is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of the Act as if the said provisions were in force when such thing was done or such action was taken and shall continue to be in force accordingly until superseded by anything done or any action taken under this Act or rules made thereunder.

(4) Any rule, regulation, bye-law made or order or notice issued under the repealed enactments, shall so far as it is not inconsistent with the provisions of this Act or rules made thereunder be deemed to have been done or taken under the corresponding provisions of this Act.

Power to remove difficulties.

18. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as may appear to it to be necessary for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of three years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

DR. G NARAYANA RAJU,
Secretary to the Govt. of India.

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 9th August, 2017/Shrawana 18, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 9th August, 2017 and is hereby published for general information:—

**THE INDIAN INSTITUTES OF INFORMATION TECHNOLOGY
(PUBLIC-PRIVATE PARTNERSHIP) ACT, 2017**

No. 23 OF 2017

[*9th August, 2017.*]

An Act to declare certain Indian Institutes of Information Technology established under public-private partnership as institutions of national importance, with a view to develop new knowledge in information technology and to provide manpower of global standards for the information technology industry and to provide for certain other matters connected with such institutions or incidental thereto.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Indian Institutes of Information Technology (Public-private Partnership) Act, 2017.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Declaration
of certain
institutions as
institutions of
national
importance.

Definitions.

2. Whereas the objects of the Institutes mentioned in the Schedule are such as to make them institutions of national importance, it is hereby declared that each such Institute is an institution of national importance.

3. In this Act, unless the context otherwise requires,—

(a) "appointed day" means the date of establishment of the Institutes established under sub-section (2) of section 4;

(b) "Board", in relation to any Institute, means the Board of Governors referred to in sub-section (1) of section 14;

(c) "Chairperson" means the Chairperson of the Board appointed under sub-section (2) of section 14;

(d) "Co-ordination Forum" means the Co-ordination Forum established under sub-section (1) of section 38;

(e) "Director" means the Director of the Institute;

(f) "existing Institute" means the Institute mentioned in column (3) of the Schedule;

(g) "industry partner" means an individual, or a trust established under the Indian Trusts Act, 1882, or a company established under the Companies Act, 2013, or society formed and registered under the Societies Registration Act, 1860, or a financial institution or a combination of one or more of such industry partners;

(h) "Institute" means any of the institutions mentioned in column (5) of the Schedule and such other Institutes established under section 11;

(i) "notification" means a notification published in the Official Gazette and the expression "notify" shall be construed accordingly;

(j) "prescribed" means prescribed by rules made under this Act;

(k) "public-private partnership" means such partnership under a scheme of the Central Government which provides for establishment of Institute involving collaboration between the Central Government, the State Government and industry partners;

(l) "Schedule" means the Schedule to this Act;

(m) "Senate", in relation to any Institute, means the Senate thereof;

(n) "Statutes" and "Ordinances", in relation to any Institute, mean the Statutes and Ordinances of the Institute made under this Act.

CHAPTER II

THE INSTITUTES

Incorporation
of Institutes.

4. (1) On and from the commencement of this Act, every existing Institute, shall be a body corporate by the same name as mentioned in column (5) of the Schedule.

(2) On and from the appointed day, any other Institute of Information Technology as may be established under section 11 shall be a body corporate by such name as the Central Government may, by notification, specify.

(3) Every existing Institute or any Institute established under sub-section (2) shall have perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by its name, sue or be sued.

2 of 1882.
18 of 2013.
21 of 1860.

5. On and from the date of commencement of this Act,—

Effect of incorporation of Institutes.

(a) any reference to any existing Institute in any contract or other instrument shall be deemed to be reference to the corresponding Institute mentioned in column (5) of the Schedule;

(b) all properties, movable and immovable, belonging to every existing Institute shall vest in the corresponding Institute mentioned in column (5) of the Schedule;

(c) all rights, debts and other liabilities of every existing Institute shall be transferred to, and be the rights and liabilities of, the corresponding Institute mentioned in column (5) of the Schedule;

(d) every person employed by any existing Institute, immediately before such commencement, shall hold his office or service in the corresponding Institute mentioned in column (5) of the Schedule, with the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held the same if this Act had not been enacted and shall continue to do so unless and until his employment is terminated or until such tenure, remuneration and the terms and conditions are duly altered by the Statutes:

Provided that if the alteration so made is not acceptable to such employee, his employment may be terminated by the Institute in accordance with the terms of the contract with the employee or, if no provision is made therein in this behalf, on payment to him by the Institute of compensation equivalent to three months' remuneration in the case of permanent employees and one month's remuneration in case of other employees:

Provided further that any reference, by whatever form of words, to the Director, Registrar and other officers of any existing Institute, in any law for the time being in force, or in any instrument or other document, shall be deemed to be reference to the Director, Registrar and other officers of the corresponding Institute mentioned in column (5) of the Schedule;

(e) every person pursuing, before the commencement of this Act, any academic or research course in any existing Institute, shall be deemed to have migrated and registered with the corresponding Institute mentioned in column (5) of the Schedule, on such commencement at the same level of course in the Institute from which such person migrated;

(f) all suits and other legal proceedings instituted or which could have been instituted by or against an existing Institute, immediately before the commencement of this Act, shall be continued or instituted by or against the corresponding Institute mentioned in column (5) of the Schedule.

6. Every Institute shall have the following objectives, namely:—

Objects of Institute.

(a) to emerge amongst the foremost institutions in information technology and allied fields of knowledge in the global context;

(b) to advance new knowledge and innovation in information technology and allied fields to empower the nation to the forefront in the global context;

(c) to develop competent and capable youth imbued with the spirit of innovation and entrepreneurship with the social and environmental orientation to meet the knowledge needs of the country and provide global leadership in information technology and allied fields;

(d) to promote and provide transparency of highest order in matters of admission, appointment to various positions, academic evaluation, administration and finance.

Powers and functions of Institute.

7. (1) Subject to the provisions of this Act, every Institute shall exercise the following powers and perform the following functions, namely:—

(a) to provide instructions in such fields of knowledge relating to information technology and allied areas as the Institute may deem fit, for the advancement of learning and dissemination of knowledge;

(b) to lead, organise and conduct research and innovation in information technology and allied fields of knowledge in such manner as the Institute may deem fit, including in collaboration or in association with any other Institute, educational institution, research organisation, body corporate or financial organisations at national or global level;

(c) to hold examinations and grant degrees, diplomas and other academic distinctions or titles and to confer honorary degrees;

(d) to create academic, administrative, technical, ministerial and other posts under the Institute other than the post of Director of the Institute and to make appointments thereto;

(e) to appoint persons working in any other Institute or educational institution or involved in research of significance in any industry as adjunct, guest or visiting faculty of the Institute on such terms and for such duration as the Institute may decide;

(f) to create administrative and other posts and to make appointments thereto on the basis of criteria as may be decided by the Board;

(g) to make provision for dissemination of knowledge emerging from research and for that purpose to enter into such arrangements, including consultancy and advisory services, with other institutions, industry, civil society or other organisations, as the Institute may deem necessary;

(h) to create a website, highlight all information not restricted to those related to students, admission, fee, administrative structure, policies including recruitment rules, faculty and non-faculty posts, annual reports and financial details including statement of account of the Institute;

(i) to determine, specify and receive payment of fees and other charges, as the Institute may deem fit, from students and any other person, institution or body corporate for instructions and other services, including training, consultancy and advisory services, provided by the Institute;

(j) to deal with any property belonging to, or vested in, the Institute in such manner as the Institute may deem fit for advancement of the objectives of the Institute:

Provided that no land or other immovable property shall be disposed of by the Institute without the prior approval of the concerned State Government and the Central Government;

(k) to receive gifts, grants, donations or benefactions from the Government and to receive bequests, donations and transfer of movable or immovable properties from testators, donors or transferors, as the case may be;

(l) to co-operate with educational or other institutions in any part of the world having objects wholly or partly similar to those of the Institute by exchange of teachers and scholars and generally in such manner as may be conducive to their common objects;

(m) to establish and maintain such infrastructure as may be necessary, incidental or conducive to the attainment of the objectives of the Institute;

(n) to institute and award fellowships, scholarships, exhibitions, prizes and medals; and

(o) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objectives of the Institute.

(2) Subject to the provisions of this Act, every Institute may take up the following works, namely:—

(a) supporting and collaborating with educational Institutes imparting technical or information technology courses located in the zone or region;

(b) advising the State Governments and Union territory Administrations included in its zone in matters of information technology and other technological issues referred by them to the Institute for advice.

8. (1) Every Institute shall be open to all citizens irrespective of gender, caste, creed, disability, domicile, ethnicity, social or economic background.

Institutes to be open to all races, creeds and classes.

(2) No bequest, donation or transfer of any property shall be accepted by any Institute which in the opinion of the Co-ordination Forum involves conditions or obligations opposed to the spirit and object of this section.

(3) Admissions to every programme of study in each Institute shall be based on merit assessed through transparent and reasonable criteria disclosed through its prospectus, prior to the commencement of the process of admission by such Institute:

5 of 2007.

Provided that every such Institute shall be a Central Educational Institution for the purposes of the Central Educational Institutions (Reservation in Admission) Act, 2006.

9. All teaching at each of the Institute shall be conducted by or in the name of the Institute in accordance with the Statutes and Ordinances made in this behalf.

Teaching at Institute.

10. (1) Every Institute shall be a not-for-profit legal entity and no part of the surplus, if any, in revenue of such Institute, after meeting all expenditure in regard to its operations under this Act, shall be invested for any purpose other than for the growth and development of such Institute or for conducting research therein.

Institute to be a distinct legal entity not-for-profit.

(2) Every Institute shall strive to raise funds for creation of a corpus for self-sufficiency, sustainability and future development of the Institute.

11. (1) The State Government shall identify at least one industry partner, and preferably three industry partners, for collaboration and submit a proposal to the Central Government.

Establishment of Institute by Central Government, State Government and industry partners.

(2) The Central Government shall examine the proposal on the basis of such criteria, as may be prescribed, which shall include the following, namely:—

(a) the investment of capital required for establishing the proposed Institute to be borne by the Central Government, the concerned State Government and industry partners in the ratio 50:35:15 and recurring expenditure, as may be considered necessary during the first five years of operation, to be made available by the Central Government:

Provided that the ratio of investment of capital required for establishing the proposed Institute in North Eastern States shall be 57.5:35:7.5;

(b) the expertise and standing of the industry partners proposed in sub-section (1) in the field of information technology;

(c) the assessment of the capability, financial and other resources of industry partners to support the Institute;

(d) the suitability of adequate land, to the extent of fifty to hundred acres, to be provided by the State Government free of cost;

(e) the availability of, or the commitment of the State Government to make available, adequate physical infrastructure namely, water, electricity, road connectivity and security, at the proposed site.

(3) The Central Government may, with the concurrence of the concerned State Government, suggest modifications, if any, to the proposal submitted to it under sub-section (1).

(4) Where a proposal submitted by the State Government under sub-section (1) is not acceptable to the Central Government, the Central Government shall communicate its decision to that State Government, specifying the reasons for such decision.

(5) The Central Government shall, on acceptance of the proposal with modifications, if any, under sub-section (3), enter into a memorandum of understanding or an agreement with the concerned State Government and the industry partners for the establishment of the proposed Institute.

(6) The industry partner shall—

(a) actively participate in the governance of the Institute within the overall framework;

(b) support and facilitate joint research projects with the Indian Institutes of Information Technology either through funding, collaboration or in any other manner;

(c) depute experienced individuals as adjunct faculty;

(d) encourage, enable, support and mentor students to do research project as a part of their course curriculum, within their enterprise;

(e) accept faculty members of the Indian Institutes of Information Technology on a sabbatical to work for short period with the industry;

(f) co-create programs as per the requirements of the industry with the Institution;

(g) provide internship to students from the Indian Institutes of Information Technology;

(h) facilitate for placement of students from the Indian Institutes of Information Technology;

(i) sponsor their eligible employees for doctorate studies in the Indian Institutes of Information Technology; and

(j) fund and mentor the startups in the Institution.

(7) Every memorandum of understanding or agreement referred to in sub-section (5) shall contain—

(a) the investment proposal of capital in establishment of the Institute and the respective shares as may be prescribed;

(b) the first Statutes of the Institute;

(c) the commitment of the Central Government, the concerned State Government, and the industry partner in ensuring autonomy to the proposed Institute; and

(d) the conditions, if the industry partners pulls out.

CHAPTER III

AUTHORITIES OF INDIAN INSTITUTES OF INFORMATION TECHNOLOGY ESTABLISHED IN PUBLIC-PRIVATE PARTNERSHIP

Visitor.

12. (1) The President of India shall be the Visitor of every Institute.

(2) The Visitor may appoint one or more persons to review the work and progress of any Institute and to hold inquiries into the affairs thereof and to report thereon in such manner as the Visitor may direct.

(3) Upon receipt of any such report, the Visitor may take such action and issue such directions as he considers necessary in respect of any of the matters dealt within the report and the Institute shall be bound to comply with such directions within a reasonable time.

13. The following shall be the authorities of an Institute, namely:—

- (a) Visitor;
- (b) Board of Governors;
- (c) Senate;
- (d) Finance Committee;
- (e) such other authorities or posts as may be declared by the Statutes to be the authorities of the Institute.

Authorities of
Institute.

14. (1) The Board of Governors of each Institute shall be the principal policy making and executive body of the Institute.

Board of
Governors.

(2) The Board shall consist of the following members, namely:—

- (a) Chairperson, an eminent technologist or industrialist or educationist to be nominated by the Visitor on the recommendation of the Central Government;
- (b) one nominee each of the Central Government and the concerned State Government;
- (c) three eminent persons, of which at least one shall be a woman, appointed by the Board out of industry, research laboratories, and civil society, one from each category;
- (d) two eminent academicians appointed by the Board;
- (e) one nominee representing each of the industry partners:

Provided that if there are more than two industry partners then the number of representatives of industry partners at any time would be limited to two, chosen amongst themselves by rotation every two years;

(f) Director of an Indian Institute of Technology or a National Institute of Technology located in the region, to be nominated by the Board;

(g) two members from the faculty of the Institute, preferably one Professor and one Associate/Assistant Professor, to be nominated by the Senate;

(h) one person from the Scheduled Castes or the Scheduled Tribes distinguished in the field of education or industry or social service or public service, to be nominated by the Board, in case any of the above do not belong to the Scheduled Castes or the Scheduled Tribes; and

(i) Director of the Institute, *ex officio*.

(3) Registrar of the concerned Institute shall be the *ex officio* non-member Secretary of the Board.

(4) The First Board of Governors shall be notified by the Central Government by obtaining nominations under sub-section (2), other than the members referred to in clauses (c), (d), (f) and (h), which shall be decided in the first meeting of the Board of Governors.

15. (1) Save as otherwise provided in this section, the term of office of the Chairperson or any other member of the Board, other than an *ex officio* member, shall be for a period of three years from the date of nomination.

(2) The term of office of an *ex officio* member shall continue so long as the member holds the office by virtue of which he is a member.

Term of
office of
vacancies
among and
allowances
payable to,
members of
Board.

(3) A member of the Board, other than an *ex officio* member, who fails to attend three consecutive meetings of the Board without the leave of absence, shall cease to be a member of the Board.

(4) One-third of the members of the Board shall form a quorum of the Board, provided at least three members are from members referred to in clauses other than clauses (e), (g) and (i) of sub-section (2) of section 14.

(5) The members of the Board shall be entitled to such allowances, as may be laid down in Statutes, for attending meetings of the Board or as may be convened by the Institute.

Resignation
of
Chairperson.

16. (1) The Chairperson may, by writing under his hand addressed to the Visitor, resign his office.

(2) Any member of the Board, except *ex officio* members, may, by writing under his hand addressed to the Chairperson, resign his office.

Powers and
functions of
Board.

17. (1) Subject to the provisions of this Act, the Board shall be responsible for the general policy making, superintendence, providing direction and shall have the power to frame, amend, modify or rescind the Statutes and the Ordinances governing the affairs of the Institute to achieve the objectives specified in section 6.

(2) Without prejudice to the provisions of sub-section (1), the Board shall have the following powers, namely:—

(a) to decide questions of policy relating to the Institute;

(b) to establish departments, faculties or schools of studies and initiate programmes or courses of study at the Institute;

(c) to examine and approve the annual budget estimates of the Institute;

(d) to examine and approve the plan for development of the Institute and to identify sources of finance for implementation of the plan;

(e) to create teaching, academic, administrative, technical and other posts and to make appointments thereto;

(f) to provide by the Statutes, the qualifications, criteria and processes for appointment to teaching and other posts in the Institute;

(g) to approve fees and other charges payable for pursuit of studies, courses or programmes in the Institute;

(h) to make Statutes, subject to provisions of section 32, governing the administration, management and operations of such Institute;

(i) to grant degrees, diplomas and other academic distinctions or titles, and to institute and award fellowships, scholarships, prizes and medals; and

(j) to exercise such other powers and perform such other duties as may be conferred or imposed by this Act or the Statutes.

(3) The Board may, subject to the provisions of this Act and the Statutes, delegate such powers and functions to the Senate or the Director, as the Board may deem fit.

(4) The Board shall put in place policies to make the Institute self-sustaining within a period of five years.

(5) The Board shall periodically conduct a review of the performance of the Director with specific reference to the leadership in the achievement of the objectives of the Institute.

(6) The Board shall in exercise of the powers and discharge of functions strive to provide autonomy in academic matters to the Senate and departments of faculties or schools, as the case may be.

(7) Wherein the opinion of the Director or the Chairperson, the situation is so emergent that an immediate decision needs to be taken in the interest of the Institute, the Chairperson, in consultation with the Director, may issue such orders as may be necessary, recording in writing the grounds for the opinion:

Provided that such orders shall be submitted for ratification of the Board in the next meeting.

18. (1) The Senate of every Institute shall consist of the following persons, namely:— Senate.

(a) the Director of the Institute who shall be the *ex officio* Chairperson of the Senate;

(b) all Deans, *ex officio*;

(c) heads of all departments, faculties or schools, *ex officio*, as the case may be, of the Institute;

(d) all full-time professors other than the Deans or heads of the Departments;

(e) three persons from amongst educationists of repute or persons from another field related to the activities of the Institute who are not in service of the Institute, nominated by the Board;

(f) three persons who are not members of teaching staff co-opted by the Senate for their specialised knowledge; and

(g) Registrar of the Institute, *ex officio* Secretary.

(2) The term of office of members nominated under clauses (e) and (f) shall be for a period of two years from the date of nomination.

(3) The term of office of an *ex officio* member shall continue so long as the member holds the office by virtue of which he is a member.

19. (1) Subject to the provisions of this Act, the Statutes and the Ordinances, the Senate shall be the principal academic body of the Institute and shall have the power to enact, amend or modify the Ordinances governing academic matters and the affairs and well-being of students.

Powers and functions of Senate.

(2) Without prejudice to the provisions of sub-section (1), the Senate shall have the following powers, namely:—

(a) to specify the criteria and procedure for admission to courses or programmes of study offered by the Institute;

(b) to recommend to the Board creation of teaching and other academic posts, determination of the number and emoluments of such posts and defining the duties and conditions of service of teachers and other academic posts;

(c) to recommend to the Board about starting of new programmes or courses of study;

(d) to specify the broad academic content of programmes and courses of study and undertake modifications therein;

(e) to specify the academic calendar and approve grant of degrees, diplomas and other academic distinctions or titles;

(f) to appoint examiners, moderators, tabulators and such other personnel for different examinations;

(g) to recognise diplomas and degrees of Universities and other Institutes and to determine equivalence with the diplomas and degrees of the Institute;

(h) to suggest measures for departmental co-ordination;

- (i) to make major recommendations to the Board of Governors on—
- (A) measures for improvement of standard of teaching, training and research;
 - (B) institution of chairs, fellowships, scholarships, studentships, free-ships, medals and prizes and other related matters;
 - (C) establishment or abolition of departments or centres; and
 - (D) academic functioning of the Institute, discipline, residence, admissions, examinations, award of fellowships and studentships, freeships, concessions, attendance and other related matters;
- (j) to appoint sub-committees to advise on such specific matters as may be referred to by the Board or by itself;
- (k) to consider the recommendations of the sub-committees and to take such action including making of recommendations to the Board as may be required;
- (l) to take periodical review of the activities of the departments or centres and to take appropriate action including making of recommendations to the Board with a view to maintain and improve the standards of instructions, in the institutions; and
- (m) to exercise such other powers and discharge such other functions as may be assigned to it, by Statutes or otherwise, by the Board.

Finance Committee.

20. (1) The Finance Committee of each Institute shall consist of the following persons, namely:—

- (a) the Chairperson of the Board shall be the *ex officio* Chairperson of the Committee;
- (b) one representative of the Government of India, Ministry of Human Resource Development, Department of Higher Education handling the matters relating to finance, *ex officio*;
- (c) one representative of the State Government in which the Institute is located, *ex officio*;
- (d) one representative of the industry partners chosen from amongst themselves;
- (e) the Director, *ex officio*; and
- (f) the officer in-charge of finance and accounts of the Institute, *ex officio* Secretary.

(2) The members of the Finance Committee other than *ex officio* members shall hold office for a term of three years.

Powers and functions of Finance Committee.

Meetings.

Director.

21. The Finance Committee shall examine the accounts, scrutinise proposals for expenditure and financial estimates of the Institute and thereafter submit it to the Board together with its comments for approval.

22. (1) The Chairperson shall ordinarily preside over the meetings of the Board, Finance Committee and at the convocations of the Institute.

(2) It shall be the duty of the Chairperson to ensure that the decisions taken by the Board are implemented.

(3) The Chairperson shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes.

23. (1) The Director shall be the principal executive officer of the Institute and shall be responsible for implementation of the decisions of the Board and Senate and for day-to-day administration of the Institute.

(2) The Director shall be appointed by the Visitor, on such terms and conditions of service as may be laid down by the Statutes.

(3) The Director shall be appointed out of the panel of names recommended by a search-cum-selection committee consisting of—

- (a) Chairperson of the Board, who shall be the Chairperson of the search-cum-selection committee;
- (b) two members, nominated by the Board, from amongst eminent administrators, industrialists, educationists, scientists, technocrats and management specialists;
- (c) nominee of the State Government in which the Institute is located;
- (d) nominee of one of the industry partners by rotation;
- (e) head of the Bureau, Ministry of Human Resource Development dealing with Indian Institutes of Information Technology—Member Secretary, *ex officio*;

(4) The Director shall exercise the powers and perform the duties as may be assigned under this Act or the Statutes or Ordinances, or as may be delegated by the Board.

(5) The Director shall, except on account of resignation or removal, hold office for a period of five years from the date of assumption of charge as Director.

(6) The Director may, by writing under his hand addressed to the Chairperson, resign his office.

(7) The Visitor may remove from office the Director, who—

- (a) has been adjudged as insolvent; or
- (b) has been convicted of an offence which, in the opinion of the Visitor, involves moral turpitude; or
- (c) has become physically or mentally incapable of acting as a Director; or
- (d) has acquired such financial or other interest as is likely to affect prejudicially the functions as a Director; or
- (e) has so abused the position or so conducted as to render the continuance in office prejudicial to the public interest:

Provided that the Director shall not be removed from office except by an order made by the Visitor, after an enquiry instituted by the Board, in which the Director has been informed of the charges and given a reasonable opportunity of being heard in respect of those charges.

(8) The Board shall initiate the process of appointment in respect of any vacancy due to arise for the post of Director on completion of tenure before a period of six months from the date of arising of such vacancy and that the process of appointment shall be completed before such vacancy arises.

(9) Where the post of Director falls vacant on account of any reason other than completion of tenure, the process of appointment shall be initiated by the Board within one month of such vacancy and process shall be completed as early as possible.

24. (1) The Registrar of every Institute shall be appointed on such terms and conditions as may be laid down by the Statutes.

Registrar.

(2) The Registrar shall exercise such powers and perform such duties as may be assigned to him by the Statutes or by the Director.

(3) The Registrar shall be responsible to the Director for the proper discharge of his functions.

25. (1) The Institute shall, within five years from the date of establishment and incorporation under this Act and thereafter at the expiration of every fifth year, constitute,

Review of performance of Institute.

with the prior approval of the Board, a review committee or shall appoint an agency as a third party to evaluate the performance of the Institute and its achievements with respect to its objectives during the said period.

(2) The review committee constituted under sub-section (1) shall consist of members of repute in academia or industry, from relevant fields of teaching, learning and research in such Institute.

(3) The third party agency appointed under sub-section (1) shall have past experience of conducting such evaluations.

(4) The review committee or the third party agency, as the case may be, shall assess the performance of Institute and shall submit its report with recommendations on—

(a) the extent of fulfilment of the objects of the Institute mentioned in section 6, as demonstrated by the state of teaching, learning and research, and its contribution to the society;

(b) the promotion of transformational research and its impact on industry and society;

(c) the advancement of fundamental research beyond the current frontiers of knowledge;

(d) the establishment of the Institute as amongst the global leaders in the area of information technology;

(e) such other parameters as the Board may consider necessary and specify.

(5) The Board shall place the report of the review committee or the third party agency in the public domain and on its website and consider the recommendations referred to in sub-section (3) and take such action as it may deem fit:

Provided that the recommendations of the review committee or the third party agency along with an explanatory memorandum on the action taken or proposed to be taken, specifying the reasons thereof, shall be submitted to the Central Government.

CHAPTER IV

ACCOUNTS AND AUDIT

Grants by
Central
Government
and State
Governments.

Fund of
Institute.

26. (1) For the purposes of enabling the Institute to discharge their functions efficiently under this Act, the Central Government and the State Government may, after due appropriation made by the Parliament and the concerned State Legislature, as the case may be, by law in this behalf, pay to each Institute in every financial year such sums of money in such manner as is required to fulfil their obligations under section 11.

(2) The Central Government and the concerned State Government shall provide to each Institute, grants of such sums of money as are required to meet the expenditure on scholarships or fellowships instituted by it, including scholarships or fellowships for students from socially and educationally backward classes of citizens enrolled in such Institute.

27. (1) Every Institute shall maintain a Fund to which shall be credited—

(a) all monies provided by the Central Government or the State Government or industry partner, as the case may be;

(b) all fees and other charges received by the Institute from students;

(c) all monies received by the Institute by way of grants, gifts, donations, benefactions, bequests or transfers;

(d) all monies received by the Institute from utilisation of intellectual property

arising from research conducted or provision of advisory or consultancy services by it; and

(e) all monies received by the Institute in any other manner or from any other source.

(2) The Fund of every Institute shall be applied towards meeting the expenses of the Institute including expenses incurred in the exercise of its powers and discharge of its duties under this Act, furtherance of research in the Institute or in collaboration with other educational institutions or industry and for capital investment aimed at the growth and development of the Institute.

(3) All monies credited to the Fund of every Institute shall be deposited in such banks or invested in such manner as the Institute may, with approval of the Board, decide.

(4) Each Institute shall create a corpus fund for long term sustainability of the Institute, to which shall be credited such per cent. of the net income of the Institute and donations made specifically towards such corpus fund as the Central Government may, in accordance with the provisions of the Income-tax Act, 1961, notify:

Provided that the Board may also create endowment funds for specific purpose to which donations may be specifically made.

28. (1) Every Institute shall maintain proper accounts and other relevant records and prepare annual statement of accounts including the balance sheet in such form and accounting standard as may be specified by notification, by the Central Government in consultation with the Comptroller and Auditor-General of India.

Accounts and audit.

(2) Where the statement of income and expenditure and the balance sheet of the Institute do not comply with the accounting standards, the Institute shall disclose in its statement of income and expenditure and balance sheet, the following, namely:—

- (a) the deviation from the accounting standards;
- (b) the reasons for such deviation; and
- (c) the financial effect, if any, arising out due to such deviation.

(3) The accounts of every Institute shall be audited by the Comptroller and Auditor-General of India or any other person in accordance with the provisions of the extant rules and any expenditure incurred by audit team in connection with such audit shall be payable by the Institute to the Comptroller and Auditor-General of India or such person.

(4) The Comptroller and Auditor-General of India and any person appointed in connection with the audit of the accounts of any Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts and, in particular shall have the rights to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of the Institute.

(5) The accounts of every Institute as certified by the Comptroller and Auditor-General of India or any other person appointed in this behalf together with the audit report thereon shall be forwarded annually to the Central Government.

29. Every Institute may constitute for the benefit of its employees such provident or pension fund or provide such insurance scheme as it may deem fit in such manner and subject to such conditions as may be laid down by the Statutes.

Pension and provident fund.

30. All appointments of the staff of every Institute, except that of the Director, shall be made in accordance with the procedure laid down in the Statutes.

Appointments.

31. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

Statutes.

- (a) the formation of departments of teaching;

- (b) the institution of fellowships, scholarships, exhibitions, medals and prizes;
- (c) the terms of office and the method of appointment of officers of the Institute;
- (d) the qualifications of teachers of the Institute;
- (e) the classification, method of appointment and the determination of the terms and conditions of service of teachers and other staff of the Institute;
- (f) the constitution of pension, insurance and provident funds for the benefit of the officers, teachers and other staff of the Institute as per the provisions existing from time to time;
- (g) the constitution, powers and duties of the authorities of the Institute;
- (h) the establishment and maintenance of halls and hostels;
- (i) the conditions of residence of students of the Institute and the levying of fees for residence in the halls and hostels and of other charges;
- (j) the allowances to be paid to the Chairperson and members of the Board;
- (k) the authentication of the orders and decisions of the Board;
- (l) the meetings of the Board, the Senate, or any committee, the quorum at such meetings and the procedure to be followed in the conduct of their business; and
- (m) any other matter as may be considered necessary for the efficient functioning of the Institute.

Statutes how to be made.

32. (1) The first Statute of each Institute shall be framed by the Board with the prior approval of the Visitor.

(2) The Board may, from time to time, make new or additional Statutes or may amend or repeal the Statutes.

Ordinances.

33. Subject to the provisions of this Act and the Statutes, the Ordinances of every Institute may provide for all or any of the following matters, namely:—

- (a) the admission of the students to the Institute;
- (b) the courses of study to be laid down for all degrees and diplomas of the Institute;
- (c) the conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the Institute, and shall be eligible for degrees and diplomas;
- (d) the conditions of award of the fellowships, scholarships, exhibitions, medals and prizes;
- (e) the conditions and mode of appointment and duties of examining bodies, examiners and moderators;
- (f) the conduct of examinations;
- (g) the maintenance of discipline among the students of the Institute; and
- (h) any other matter which by this Act or the Statutes is to be or may be provided for by the Ordinances.

Ordinances how to be made.

34. (1) Save as otherwise provided in this section, Ordinances shall be made by the Senate.

(2) All Ordinances made by the Senate shall have effect from such date as it may direct, but every Ordinance so made shall be submitted, as soon as may be, to the Board and shall be considered by the Board at its next meeting.

(3) The Board shall have power by resolution to modify or cancel any such Ordinance and such Ordinance shall from the date of such resolution stand modified accordingly or cancelled, as the case may be.

35. (1) (a) Any dispute arising out of a contract between an Institute and any of its employees shall, at the request of the employee concerned or at the instance of the Institute, be referred to a Tribunal of Arbitration consisting of one member appointed by the Institute, one member nominated by the employee, and an umpire appointed by the Visitor.

Tribunal of Arbitration.

(b) The decision of the Tribunal shall be final and shall not be questioned in any court.

(c) No suit or proceeding shall lie in any court in respect of any matter, which is required by sub-section (1) to be referred to the Tribunal of Arbitration.

(d) The Tribunal of Arbitration shall have power to regulate its own procedure:

Provided that the Tribunal shall have regard to the principles of natural justice while making such procedure.

(e) Nothing in any law for the time being in force relating to arbitration shall apply to arbitrations under this section.

(2) Any student or candidate for an examination whose name has been removed from the rolls of the Institute by the orders or resolution of the Director of the Institute and who has been debarred from appearing at the examinations of the Institute for more than one year, may within ten days of the date of receipt of such resolution by him, appeal to the Board who may confirm, modify or reverse the decision of the Director.

(3) Any dispute arising out of any disciplinary action taken by the Institute against a student shall, at the request of such student, be referred to a Tribunal of Arbitration and the provisions of sub-section (1) shall, as far as may be, apply to a reference made under this sub-section.

(4) Every employee or student of the Institute, notwithstanding anything contained in this Act, have a right to appeal within such time as may be laid down by the Statutes, to the Board of Governors against the decision of any officer or authority of the Institute, as the case may be, and thereupon the Board may confirm, modify or reverse the decision appealed against.

36. (1) There shall be attached to every statement of accounts laid before the Board of each Institute, a report by its Director, with respect to—

Annual report of Director.

(a) the state of affairs of such Institute;

(b) the amount, if any, which it proposes to carry forward to any surplus reserves in its balance sheet;

(c) the extent to which understatement or overstatement of any surplus of income over expenditure or any shortfall of expenditure over income has been indicated in the auditor's report and the reasons for such understatement or overstatement;

(d) the productivity of research projects undertaken by the Institute measured in accordance with such norms as may be specified by any statutory regulatory authority;

(e) appointments of the officers and teachers of the Institute;

(f) benchmark and internal standards set by the Institute, including the nature of innovations in teaching, research and application of knowledge.

(2) The Director shall also be bound to give the complete information and explanation in its report on every reservation, qualification or adverse remark contained in the auditors' report.

Annual report
of each
Institute.

37. (1) The annual report of each Institute shall be prepared under the direction of the Board, which shall include, among other matters, the steps taken by the Institute towards the fulfilment of its objects and an outcome based assessment of the research being undertaken in such Institute, and be submitted to the Board on or before such date as may be specified and the Board shall consider the report in its annual meeting.

(2) The annual report as approved by the Board shall be published and placed on the website of the Institute.

(3) The Board shall prepare and release for every year a report, in English and in Hindi, the working of the Institute in the previous year on or before the expiry of nine months from the close of financial year, and a copy of the same, together with an audited statement of accounts showing the income and expenditure for the previous year shall be submitted to the Central Government and the concerned State Government within that stipulated time, and the same may be caused to be laid before each House of Parliament and the concerned State Legislature.

CHAPTER V

CO-ORDINATION FORUM

Co-ordination
Forum.

38. (1) In order that there may be better co-ordination among the Institutes, the Central Government may, by notification in the Official Gazette, establish, with effect from such date as may be specified in the notification, a central body to be called the Co-ordination Forum for all the Institutes specified in column (5) of the Schedule.

(2) The Co-ordination Forum shall consist of the following members, namely:—

(i) the Minister in-charge of the Ministry or Department of the Central Government having administrative control of technical education, *ex officio*, as Chairperson;

(ii) Secretary to the Government of India, in-charge of the Department of the Central Government having administrative control of technical education, *ex officio*;

(iii) four Secretaries in-charge of department looking after Indian Institutes of Information Technology of State Governments in which the Institutes are located, to be nominated by the Chairperson of the Co-ordination Forum, by rotation for two years, *ex officio*;

(iv) four Chairpersons of the Institutes, to be nominated by the Chairperson of the Co-ordination Forum, by rotation for two years;

(v) the Directors of each of the Institutes, *ex officio*;

(vi) four industry partners, to be nominated by the Chairperson of the Co-ordination Forum, not more than one from any Institute, by rotation every two years;

(vii) three persons of eminence, of which at least one shall be a woman, in academia, industry or public service, to be nominated by the Co-ordination Forum; and

(viii) one representative of All India Council of Technical Education:

Provided that while nominating under clauses (iii), (iv) and (vi), care shall be taken to ensure representation of as many Institutes as possible by selecting Secretaries of State Governments, Chairpersons of the Institutes, and representatives of industry partners from the Board of different Institutes to the extent possible.

(3) An officer of the Department of Higher Education, Government of India, not below the rank of Joint Secretary, concerned with technical education, *ex officio*, to act as the Member-Secretary of the Co-ordination Forum.

(4) The Co-ordination Forum may, at its discretion, constitute a Standing Committee of the Indian Institute of Information Technology Co-ordination Forum (Public-private Partnership) to assist the Co-ordination Forum in discharge of its duties and responsibilities.

(5) The expenditure on the Co-ordination Forum shall be met by the resources pooled by all the Institutes governed by this Act.

39. (1) The term of office of a member referred to in clause (viii) of sub-section (2) of section 38 shall be three years from the date of nomination.

Term of office and allowances payable to members of Co-ordination Forum.

(2) The term of office of an *ex officio* member shall continue so long as the member holds the office by virtue of which he is a member.

(3) While nominating members to the Co-ordination Forum under clauses (iii), (iv) and (vi) of sub-section (2) of section 38, the Chairperson of the Co-ordination Forum shall, to the extent possible, ensure maximum possible representation from each Institute.

(4) The members of the Co-ordination Forum shall be entitled to travelling and such other allowances, as may be prescribed, for attending meetings of the Co-ordination Forum or its Committees thereof.

Functions and duties of Co-ordination Forum.

40. (1) The Co-ordination Forum shall facilitate the sharing of experience, ideas and concerns with a view to enhancing the performance of all the Institutes.

(2) Without prejudice to the provisions of sub-section (1), the Co-ordination Forum shall perform the following functions, namely:—

(a) advise the Central Government to include a new institution or exclude an existing institution from the Schedule;

(b) deliberate on such matters of common interest to Institutes as may be referred to it by any Institute;

(c) promote necessary co-ordination and co-operation in the working of the Institutes;

(d) recommend to the Central Government, the institution of scholarships including for research and for the benefit of students belonging to the Scheduled Castes, the Scheduled Tribes and other socially and educationally backward classes of citizens; and

(e) perform such other functions as may be referred to it by the Central Government or any State Government:

Provided that nothing in this section shall derogate the powers and functions vested by law in the Board or Senate or other authorities of each Institute.

(3) The Chairperson of the Co-ordination Forum shall ordinarily preside at the meetings of the Co-ordination Forum and in the absence, the Secretary to the Government of India, in-charge of the Department of the Central Government having administrative control of technical education, shall preside at the meeting.

(4) The Co-ordination Forum shall meet at least once in every year, or as and when deemed necessary by the Chairperson of the Co-ordination Forum, and follow such procedure in its meetings, as may be prescribed.

CHAPTER VI

MISCELLANEOUS

Power to make rules.

41. (1) The Central Government may, after previous publication, by notification make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the form and manner in which the State Government shall submit proposal to the Central Government under sub-section (2) of section 11;

(b) the investment proposal of capital in establishment of the Institute and the respective shares under sub-section (7) of section 11;

(c) the travelling and other allowances payable to members of the Co-ordination Forum under sub-section (4) of section 39;

(d) the procedure to be followed in the meetings of the Co-ordination Forum under sub-section (4) of section 40.

Acts and proceedings not to be invalidated by vacancies, etc.

42. No act of the Co-ordination Forum, or any Institute or Board or Senate or any other body set up under this Act or the Statutes, shall be invalid merely by reason of—

(a) any vacancy or defect in the constitution thereof; or

(b) any irregularity in its procedure not affecting the merits of the case; or

(c) any defect in the selection, nomination or appointment of a person acting as a member thereof.

Returns and information to be provided to Central Government or State Government.

43. (1) The Institute shall furnish to the Central Government such returns or other information with respect to its policies or activities as the Central Government may, for the purpose of reporting to Parliament or for the making of policy, from time to time require.

(2) The Institute, shall furnish to the State Government in which such Institute is located, such returns or other information with respect to its policies or activities as that Government may, for the purpose of reporting to the concerned State Legislature or for the making of policy, from time to time require.

Power of Central Government to issue directions.

44. The Institute shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Act.

Institute to be public authority under Right to Information Act.

45. The provisions of the Right to Information Act, 2005 shall apply to each Institute, as if it were a public authority defined in clause (h) of section 2 of the Right to Information Act, 2005.

22 of 2005.

Transitional provisions.

46. Notwithstanding anything contained in this Act—

(1) (a) the Board of every Institute functioning as such immediately before the commencement of this Act shall continue to function until a new Board is constituted for that Institute under this Act, but on the constitution of a new Board under this Act, the members of the Board holding office before such commencement of this Act shall cease to hold office;

(b) every Senate constituted in relation to every Institute before the commencement of this Act shall be deemed to be the Senate constituted under this Act until a Senate is constituted under this Act for that Institute, but on the constitution of the new Senate under this Act, the members of the Senate holding office before the commencement of this Act shall cease to hold office;

(c) rules, bye-laws and Ordinances of each existing Institute as in force, immediately, before the commencement of this Act, shall continue to apply in the corresponding institute in so far as they are not inconsistent with the provisions of this Act, until the first Statutes and Ordinances are made under this Act;

(d) in case there are no such rules, bye-laws or Ordinances, the Statutes, Ordinances, rules and regulations of one of the existing centrally funded Indian Institutes of Information Technology as adopted by the Board of the concerned Institute, shall apply to the Institute in so far as they are not inconsistent with the provisions of the Act until the first Statutes and the Ordinances are made under this Act.

(2) The Central Government may, without prejudice to the provisions of sub-section (1), if it considers necessary and expedient to do so, by notification, take such measures which may be necessary for the transfer of the existing Institute to the corresponding Institute mentioned under column (5) of the Schedule.

47. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions or give such directions not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no such order shall be made under this section after the expiry of the period of three years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

48. Every rule, Statute, Ordinance made, and every notification issued, by the Central Government under this Act, shall be laid, as soon as may be after it is made or issued, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, Statute, Ordinance or notification or both Houses agree that the rule, Statute, Ordinance or notification should not be made or issued, the rule, Statute, Ordinance or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule, Statute, Ordinance or notification.

Laying of rules, Statutes, Ordinances and notifications.

THE SCHEDULE

[See section 4(1)]

Sl. No.	Name of the State	Name of the existing institute	Location	Name of Institute Incorporated under this Act
(1)	(2)	(3)	(4)	(5)
1.	Andhra Pradesh	Indian Institute of Information Technology, Sri City Chittoor, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Sri City, Chittoor	Indian Institute of Information Technology, Sri City, Chittoor.
2.	Assam	Indian Institute of Information Technology, Guwahati, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Guwahati	Indian Institute of Information Technology, Guwahati.
3.	Gujarat	Indian Institute of Information Technology, Vadodara, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Vadodara	Indian Institute of Information Technology, Vadodara.
4.	Haryana	Indian Institute of Information Technology, Sonepat, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Sonepat	Indian Institute of Information Technology, Sonepat.
5.	Himachal Pradesh	Indian Institute of Information Technology, Una, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Una	Indian Institute of Information Technology, Una.
6.	Jharkhand	Indian Institute of Information Technology, Ranchi, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Ranchi	Indian Institute of Information Technology, Ranchi.
7.	Karnataka	Indian Institute of Information Technology, Dharwad, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Dharwad	Indian Institute of Information Technology, Dharwad.
8.	Kerala	Indian Institute of Information Technology, Kottayam, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Kottayam	Indian Institute of Information Technology, Kottayam.
9.	Maharashtra	Indian Institute of Information Technology, Nagpur, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Nagpur	Indian Institute of Information Technology, Nagpur.
10.	Maharashtra	Indian Institute of Information Technology, Pune, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Pune	Indian Institute of Information Technology, Pune.
11.	Manipur	Indian Institute of Information Technology, Senapati, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Senapati	Indian Institute of Information Technology, Senapati.
12.	Rajasthan	Indian Institute of Information Technology, Kota, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Kota	Indian Institute of Information Technology, Kota.
13.	Tamil Nadu	Indian Institute of Information Technology, Tiruchirapalli, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Srirangam, Tiruchirapalli	Indian Institute of Information Technology, Tiruchirapalli.
14.	Uttar Pradesh	Indian Institute of Information Technology, Lucknow, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Lucknow	Indian Institute of Information Technology, Lucknow.

(1)	(2)	(3)	(4)	(5)
15. West Bengal		Indian Institute of Information Technology, Kalyani, being a society registered under the Societies Registration Act, 1860 (21 of 1860)	Indian Institute of Information Technology, Kalyani	Indian Institute of Information Technology, Kalyani.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

CORRIGENDA

In the CENTRAL GOODS AND SERVICES TAX ACT, 2017 (12 OF 2017) as published in the Gazette of India, Extraordinary, Part II, **Section 1, Issue No. 12, dated the 12th April, 2017,—**

Page No.	Line(s) No.	For	Read
18	36	“and State”	“and the State”—
73	20	“authority”	“authority; or”
76	20	“he shall be”	“shall be”
76	44	“summon”	“summons”
86	2	“(Textile and Textile Articles)”	“(Textiles and Textile Articles)”
86	20	“(Textile and Textile Articles)”	“(Textiles and Textile Articles)”

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 10th August, 2017/Shrawana 19, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 9th August, 2017 and is hereby published for general information:—

**THE RIGHT OF CHILDREN TO FREE AND COMPULSORY
EDUCATION (AMENDMENT) ACT, 2017**

No. 24 OF 2017

[9th August, 2017.]

An Act further to amend the Right of Children to Free and Compulsory Education Act, 2009.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Right of Children to Free and Compulsory Education (Amendment) Act, 2017. Short title and commencement.

(2) It shall be deemed to have come into force on the 1st day of April, 2015.

2. In the Right of Children to Free and Compulsory Education Act, 2009, in section 23, in sub-section (2), after the proviso, the following proviso shall be inserted, namely:— Amendment of section 23.

"Provided further that every teacher appointed or in position as on the 31st March, 2015, who does not possess minimum qualifications as laid down under

sub-section (1), shall acquire such minimum qualifications within a period of four years from the date of commencement of the Right of Children to Free and Compulsory Education (Amendment) Act, 2017.". _____

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 19th August, 2017/Shravana 28, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 17th August, 2017, and is hereby published for general information:—

**THE INDIAN INSTITUTES OF INFORMATION
TECHNOLOGY (AMENDMENT) ACT, 2017**

No. 25 OF 2017

[17th August, 2017.]

An Act further to amend the Indian Institutes of Information Technology Act, 2014.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Institutes of Information Technology (Amendment) Act, 2017.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

30 of 2014.

2. In section 24 of the Indian Institutes of Information Technology Act, 2014 (hereinafter referred as the principal Act), in clause (d) of sub-section (2), for the words "Indian Institutes of Information Technology", the words "Indian Institute of Technology" shall be substituted.

Amendment of section 24.

Amendment
of section 32.

3. In section 32 of the principal Act, in clause (*a*), for the words "Assistant Professor", the words "Assistant Professor or above" shall be substituted.

Amendment
of Schedule.

4. In the Schedule to the principal Act, after serial number 4 and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

Sl. No.	Name of the State	Name of the existing Institute	Location	Name of the Institute under this Act
"5.	Andhra Pradesh	Indian Institute of Information Technology, Design and Manufacturing	Kurnool	Indian Institute of Information Technology, Design and Manufacturing, Kurnool."._____

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 24th August, 2017/Bhadra 2, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 23rd August, 2017, and is hereby published for general information:—

THE CENTRAL GOODS AND SERVICES TAX (EXTENSION TO JAMMU AND KASHMIR) ACT, 2017

No. 26 OF 2017

[23rd August, 2017.]

An Act to provide for the extension of the Central Goods and Services Tax Act, 2017 to the State of Jammu and Kashmir.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| 1. (1) This Act may be called the Central Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017. | Short title and commencement. |
| (2) It shall be deemed to have come into force on the 8th day of July, 2017. | |
| 2. (1) The Central Goods and Services Tax Act, 2017 (hereinafter referred to as the principal Act) and all rules, notifications and orders made thereunder by the Central Government are hereby extended to, and shall be in force in, the State of Jammu and Kashmir. | Extension and amendment of Central Goods and Services Tax Act, 2017. |

(2) With effect from the date of commencement of this Act, in the principal Act,—

(a) in section 1, in sub-section (2), the words “except the State of Jammu and Kashmir” shall be omitted;

(b) in section 22, in the *Explanation*, in clause (ii), after the word “Constitution”, the words “except the State of Jammu and Kashmir” shall be inserted;

(c) in section 109, in sub-section (6),—

(i) after the words “each State or Union territory”, the words “except for the State of Jammu and Kashmir” shall be inserted;

(ii) in the first proviso, for the words “Provided that”, the following shall be substituted, namely:—

“Provided that for the State of Jammu and Kashmir, the State Bench of the Goods and Services Tax Appellate Tribunal constituted under this Act shall be the State Appellate Tribunal constituted under the Jammu and Kashmir Goods and Services Tax Act, 2017:

Provided further that”;

(iii) in the second proviso, for the words “Provided further that”, the words “Provided also that” shall be substituted.

Repeal and saving.

3. (1) The Central Goods and Services Tax (Extension to Jammu and Kashmir) Ordinance, 2017 is hereby repealed.

Ord. 3 of 2017.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 24th August, 2017/Bhadra 2, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 23rd August, 2017, and is hereby published for general information:—

THE INTEGRATED GOODS AND SERVICES TAX (EXTENSION TO JAMMU AND KASHMIR) ACT, 2017

No. 27 OF 2017

[23rd August, 2017.]

An Act to provide for the extension of the Integrated Goods and Services Tax Act, 2017 to the State of Jammu and Kashmir.

Be it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Act, 2017.

Short title and commencement.

(2) It shall be deemed to have come into force on the 8th day of July, 2017.

13 of 2017.

2. (1) The Integrated Goods and Services Tax Act, 2017 (hereinafter referred to as the principal Act) and all rules, notifications, schemes and orders made thereunder by the Central Government are hereby extended to, and shall be in force in, the State of Jammu and Kashmir.

Extension and amendment of Integrated Goods and Services Tax Act, 2017.

(2) With effect from the date of commencement of this Act, in the principal Act, in section 1, in sub-section (2), the words “except the State of Jammu and Kashmir” shall be omitted.

Repeal and saving.

3. (1) The Integrated Goods and Services Tax (Extension to Jammu and Kashmir) Ordinance, 2017 is hereby repealed.

Ord. 4 of 2017.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 24th August, 2017/Bhadra 2, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 23rd August, 2017, and is hereby published for general information:—

THE APPROPRIATION (No. 3) ACT, 2017

No. 28 OF 2017

[23rd August, 2017.]

An Act to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 2015, in excess of the amounts granted for those services and for that year.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Appropriation (No. 3) Act, 2017.
2. From and out of the Consolidated Fund of India, the sums specified in column 3 of the Schedule, amounting in the aggregate to the sum of sixteen thousand two hundred seven crores, ninety-five lakhs, nineteen thousand two hundred and forty-six rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 2015, in excess of the amounts granted for those services and for that year.

Short title.

Issue of
Rs. 16207,95,19,246
out of the
Consolidated
Fund of India
to meet certain
excess
expenditure for
the year ended
on the 31st
March, 2015.

Appropriation.

3. The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of India under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 2015.

THE SCHEDULE
(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Excess		
		Voted portion	Charged portion	Total
			Rs.	
	Civil Ministries			
13	Department of Posts Revenue	70,40,85,092	..	70,40,85,092
20	Ministry of Defence Revenue Capital	6,68,87,167 11,801	6,68,87,167 11,801
21	Defence Pensions Revenue	9435,90,46,976	4,54,50,236	9440,44,97,212
26	Defence Services—Research and Development Revenue	..	13,498	13,498
77	Ministry of Power Capital	6193,40,87,250	..	6193,40,87,250
	Ministry of Railways			
2	Miscellaneous Expenditure (General) Revenue	70,07,58,724	..	70,07,58,724
3	General Superintendence and Services on Railways... Revenue	..	23,862	23,862
7	Repairs and Maintenance of Plant and Equipment ... Revenue	..	46,46,509	46,46,509
13	Provident Fund, Pension and other Retirement Benefits Revenue	..	21,01,513	21,01,513
14	Appropriation to Funds Revenue	386,47,94,144	..	386,47,94,144
16	Assets—Acquisition, Construction and replacement—(Railway Safety Fund) Capital	39,76,12,474	..	39,76,12,474
	TOTAL :	16196,03,84,660	11,91,34,586	16207,95,19,246

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

CORRIGENDA

In the ANDAMAN AND NICOBAR ISLANDS VALUE ADDED TAX REGULATION, 2017 (6 OF 2017) as published in the Gazette of India, Extraordinary, Part II, **Section 1, issue No. 28, dated the 26th July, 2017,—**

Page No.	Line(s) No.	For	Read
7	30	“Regulaton”	“Regulation”
64	1	“FIRST SCHEULE”	“THE FIRST SCHEULE”

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 24th August, 2017/Bhadra 2, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 23rd August, 2017, and is hereby published for general information:—

THE APPROPRIATION (No. 4) ACT, 2017

No. 29 OF 2017

[23rd August, 2017.]

An Act to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2017-18.

Be it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| 1. This Act may be called the Appropriation (No. 4) Act, 2017. | Short title. |
| 2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of eleven thousand one hundred sixty-six crores and eighteen lakh rupees towards defraying the several charges which will come in course of payment during the financial year 2017-18 in respect of the services specified in column 2 of the Schedule. | Issue of Rs.
11166,18,00,000
out of the
Consolidated
Fund of India
for the
financial year
2017-18. |
| 3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. | Appropriation. |

THE SCHEDULE
(See sections 2 and 3)

No. of Vote	Services and purposes	3		
		Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	Department of Agriculture, Cooperation and Farmers' Welfare	Revenue 5,00,000 Capital 12,85,00,000	Rs. 5,00,000 12,85,00,000
2	Department of Agricultural Research and Education ...	Revenue 1,00,000	..	1,00,000
3	Department of Animal Husbandry, Dairying and Fisheries	Revenue 4,00,000 Capital 1,00,000	4,00,000 1,00,000
5	Ministry of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)	Revenue 1,00,000	..	1,00,000
6	Department of Chemicals and Petrochemicals	Revenue 1,00,000 Capital 360,26,00,000	1,00,000 360,26,00,000
7	Department of Fertilisers	Revenue 1,00,000	..	1,00,000
9	Ministry of Civil Aviation	Revenue 2,00,000	..	2,00,000
11	Department of Commerce	Revenue 40,00,00,000 Capital 1,39,00,000	40,00,00,000 1,39,00,000
12	Department of Industrial Policy and Promotion	Revenue 2000,00,00,000	..	2000,00,00,000
15	Department of Consumer Affairs	Revenue 500,00,00,000	..	500,00,00,000
16	Department of Food and Public Distribution	Revenue 52,11,00,000	..	52,11,00,000
17	Ministry of Corporate Affairs	Revenue 40,01,00,000	..	40,01,00,000
18	Ministry of Culture	Revenue 3,00,000 Capital 1,00,000	3,00,000 1,00,000
19	Ministry of Defence (Misc.)	Revenue 36,82,00,000	..	36,82,00,000
20	Defence Services (Revenue)	Revenue 1,00,000	..	1,00,000
21	Capital Outlay on Defence Services	Capital ..	80,00,00,000	80,00,00,000
23	Ministry of Development of North Eastern Region	Revenue 3,00,000	..	3,00,000
26	Ministry of Electronics and Information Technology	Revenue 100,00,00,000	..	100,00,00,000
27	Ministry of Environment, Forests and Climate Change	Revenue 3,00,000 Capital ..	67,00,000 ..	3,00,000 67,00,000
29	Department of Economic Affairs	Revenue 98,46,00,000 Capital 1,00,000	98,46,00,000 1,00,000
30	Department of Expenditure	Revenue 2,00,00,000	..	2,00,00,000
33	Department of Revenue	Revenue 1,00,000	..	1,00,000
34	Direct Taxes	Capital 2,00,000	..	2,00,000
35	Indirect Taxes	Revenue 386,43,00,000 Capital 163,57,00,000	386,43,00,000 163,57,00,000
	CHARGED.—Repayment of Debt	Capital ..	1,00,000	1,00,000
40	Transfers to States	Revenue 1,00,000	..	1,00,000
41	Ministry of Food Processing Industries	Revenue 1,00,000	..	1,00,000
42	Department of Health and Family Welfare	Capital 132,91,00,000	..	132,91,00,000
46	Ministry of Home Affairs	Revenue 1,00,000	..	1,00,000
47	Cabinet	Revenue 1,00,000	..	1,00,000
48	Police	Revenue 1,00,000 Capital 1,00,000	1,00,000 1,00,000
49	Andaman and Nicobar Islands	Capital 1,00,000	..	1,00,000
51	Dadra and Nagar Haveli	Revenue 8,40,00,000	..	8,40,00,000
52	Daman and Diu	Capital 1,00,000	..	1,00,000
55	Transfers to Puducherry	Revenue 17,70,00,000	..	17,70,00,000
57	Department of School Education and Literacy	Revenue 4,00,000	..	4,00,000
58	Department of Higher Education	Revenue 3,00,000	..	3,00,000
59	Ministry of Information and Broadcasting	Revenue 2,00,000	..	2,00,000
60	Ministry of Labour and Employment	Capital 19,00,00,000	..	19,00,00,000
64	Ministry of Micro, Small and Medium Enterprises	Revenue 2,00,000	..	2,00,000
66	Ministry of Minority Affairs	Revenue 3,00,000	..	3,00,000

No. of Vote	Services and purposes	3		
		Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
70	Ministry of Personnel, Public Grievances and Pensions	Revenue 5,00,000 ..	5,00,000 ..	5,00,000
		Capital 8,00,000 ..	8,00,000 ..	8,00,000
	CHARGED.—Central Vigilance Commission	Revenue ..	1,00,000 ..	1,00,000
72	Ministry of Petroleum and Natural Gas	Revenue 7000,00,00,000 ..	7000,00,00,000 ..	7000,00,00,000
73	Ministry of Planning	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
77	Rajya Sabha	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
80	Ministry of Railways	Capital 1,00,000 ..	1,00,000 ..	1,00,000
81	Ministry of Road Transport and Highways	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
		Capital 1,00,000 ..	1,00,000 ..	1,00,000
82	Department of Rural Development	Revenue 6,00,000 ..	6,00,000 ..	6,00,000
84	Department of Science and Technology	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
85	Department of Biotechnology	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
86	Department of Scientific and Industrial Research ...	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
87	Ministry of Shipping	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
89	Department of Social Justice and Empowerment	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
90	Department of Empowerment of Persons with Disabilities	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
91	Department of Space	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
		Capital 1,00,000 ..	1,00,000 ..	1,00,000
92	Ministry of Statistics and Programme Implementation	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
94	Ministry of Textiles	Revenue 4,00,000 ..	4,00,000 ..	4,00,000
		Capital ..	12,00,00,000 ..	12,00,00,000
95	Ministry of Tourism	Revenue 1,00,000 ..	1,00,000 ..	1,00,000
96	Ministry of Tribal Affairs	Revenue 3,14,00,000 ..	1,00,000 ..	3,15,00,000
97	Ministry of Urban Development	Revenue 3,00,000 ..	4,00,00,000 ..	4,03,00,000
		Capital 1,00,000	1,00,000
98	Ministry of Water Resources, River Development and Ganga Rejuvenation	Revenue 93,42,00,000 ..	93,42,00,000 ..	93,42,00,000
99	Ministry of Women and Child Development	Revenue 4,00,000 ..	4,00,000 ..	4,00,000
100	Ministry of Youth Affairs and Sports	Revenue 2,00,000 ..	2,00,000 ..	2,00,000
	TOTAL:	11069,48,00,000	96,70,00,000	11166,18,00,000

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

CORRIGENDA

In the INDIAN INSTITUTES OF INFORMATION TECHNOLOGY (PUBLIC-PRIVATE PARTNERSHIP) ACT, 2017 (23 OF 2017) as published in the Gazette of India, Extraordinary, Part II, **Section I, Issue No. 33, dated the 9th August, 2017,—**

Page No.	Line(s) No.	For	Read
6	19	“of the the Indian”	“of the Indian”
6	22	“from the the Indian”	“of the Indian”

**MINISTRY OF LAW AND JUSTICE
(Legislative Department)**

New Delhi, the 25th August, 2017/Bhadra 3, 1939 (Saka)

The following Act of Parliament received the assent of the President on the 25th August, 2017, and is hereby published for general information:—

THE BANKING REGULATION (AMENDMENT) ACT, 2017

No. 30 OF 2017

[25th August, 2017.]

An Act further to amend the Banking Regulation Act, 1949.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Banking Regulation (Amendment) Act, 2017.

Short title and commencement.

(2) It shall be deemed to have come into force on the 4th day of May, 2017.

Insertion of new sections 35AA and 35AB.

2. In the Banking Regulation Act, 1949 (hereinafter referred to as the principal Act), after section 35A, the following sections shall be inserted, namely:—

Power of Central Government to authorise Reserve Bank for issuing directions to banking companies to initiate insolvency resolution process.

10 of 1949.

‘35AA. The Central Government may, by order, authorise the Reserve Bank to issue directions to any banking company or banking companies to initiate insolvency resolution process in respect of a default, under the provisions of the Insolvency and Bankruptcy Code, 2016.

31 of 2016.

Explanation.—For the purposes of this section, “default” has the same meaning assigned to it in clause (12) of section 3 of the Insolvency and Bankruptcy Code, 2016.

31 of 2016.

Power of Reserve Bank to issue directions in respect of stressed assets.

35AB. (1) Without prejudice to the provisions of section 35A, the Reserve Bank may, from time to time, issue directions to any banking company or banking companies for resolution of stressed assets.

(2) The Reserve Bank may specify one or more authorities or committees with such members as the Reserve Bank may appoint or approve for appointment to advise any banking company or banking companies on resolution of stressed assets.’.

Amendment of section 51.

3. In section 51 of the principal Act, in sub-section (1), after the figures and letter “35A,”, the figures and letters “35AA, 35AB,” shall be inserted.

Repeal and savings.

4. (1) The Banking Regulation (Amendment) Ordinance, 2017 is hereby repealed.

Ord. 1 of 2017.

(2) Notwithstanding such repeal, anything done or any action taken under the Banking Regulation Act, 1949 as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the said Act, as amended by this Act.

10 of 1949.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.